

The Nation.

NEW YORK, THURSDAY, DECEMBER 24, 1874.

The Week.

ON Wednesday of last week, the District of Columbia Bill came up in the Senate and the Legislative Appropriation Bill in the House. During the debate on the latter, an attempt was made to revive the franking privilege by striking out an appropriation for official postage stamps, and Mr. Kelley of Pennsylvania supported the old system with considerable earnestness, arguing that the free circulation of the agricultural report alone "more than paid all the fraud that might have been practised under it"; but the attempt failed by a vote of 71 to 77. Gen. Butler reported a new Supplementary Civil-Rights Bill, which resembles the one passed by the Senate at the last session, except that it permits separate schools, and omits all reference to cemeteries. On the next day, in the course of a debate on the Appropriation Bill, it was discovered that the Post-office was paying \$4,200 a year for the rent of a house worth \$18,000. The property, it turned out, belonged to Shepherd, and the lease had been reported on by Mullet; no satisfactory explanation was given, and the appropriation was cut down. In the Senate the District of Columbia Bill was again taken up, and Mr. Morton strongly opposed the disfranchising clauses. On Friday, the day was mainly devoted to the reception of King Kalakaua, while in the consideration of the Appropriation Bill in the House Mr. Beck charged the Department of Justice with being "honey-combed with frauds," and more specifically with corruptly dismissing appeals in cotton cases, declared that in the Louisiana case the Attorney-General had been "a more guilty man than Judge Durell himself," and promised to make good his accusations; this attack, however, resulted for the day only in a laughable discussion between Mr. Garfield and the Democrats as to the parliamentary character of the terms "vampires," "thieves," "robbers," and "swindlers," when applied to officers of the Government.

The only business of importance in the Senate on Monday was the introduction by Mr. Sherman of the Finance Committee's Resumption Bill. The District of Columbia Bill was then debated, the argument turning on the point whether popular elections in the District were or were not a failure. On the same day a very important resolution was introduced in the House by Mr. Holman of Indiana, pledging Congress to refuse all subsidies in money, bonds, lands, or credit to private companies, and limiting all appropriations at present to the imperative necessities of the public service. This resolution received 149 votes in the affirmative to 75 in the negative. Two-thirds were required to suspend the rules, so that the resolution was not adopted, but the overwhelming majority shows probably the temper of the House, and the fate that is in store for the schemes of Scott and Jay Cooke, the application of the Pacific Mail Company, the double-track steel-rail freight railroad from Council Bluffs to New York, and the canal warming-pan movement. From the gratification with which this vote has been received by the press and the people generally, we believe we may say that the present Congress has at last succeeded in discovering the real sentiment of the country as to subsidies, bonuses, bounties, and all other plans for using the credit of the Government for the sake of saving embarrassed persons the necessity of paying their debts.

The Senate passed the Resumption Bill on Tuesday by a vote of 32 to 14. The principal features of this measure are: a provision for the resumption of specie payments in 1879, by the use of the surplus gold in the Treasury at that date,

and, should this prove insufficient, the sale of bonds to replenish the stock; the coining of silver by the Treasury as fast as possible, to be put in circulation in lieu of the fractional currency; the removal of all restrictions on the number of national banks and the volume of national bank-notes; and the withdrawal and destruction of greenbacks to the amount of eighty per cent. of all bank currency thus issued. To this we are sorry to offer the following objections, which, let us add, are tolerably obvious to persons possessing even a limited acquaintance with financial matters: 1. That nothing that is known with regard to the demands on the world's available stock of gold warrants the belief that a portion of it sufficient for the purposes of resumption could be accumulated in this country for any length of time without causing a serious financial crisis, as long as the Government paper, which is to be offered for redemption, bears a discount of twelve to fourteen per cent.; and that the only way of getting rid of this discount, and thus making the demand for redemption less heavy and pressing, is such a diminution in the volume of the paper as will bring it to par with gold; and that if this par were but established there is every reason to believe that resumption could be begun and carried out almost without exciting attention. 2. That it is not possible to keep silver in circulation as long as the discount on paper legal-tenders stands as high as it does now, and that the point to which it must be brought down in order to keep silver afloat can be readily ascertained at any exchange broker's office in this city, if not Washington; and that it would be too bad to plunge Mr. Bristow into such an experiment as that which made Mr. Richardson ridiculous. 3. That the demand for more bank-notes does not exist, as is shown by the working of the present law, and that, therefore, the proposed measure would either produce no effect on the volume of the currency at all, or would increase it, and therefore prove a means of inflation; and any banking scheme which does not involve redemption in coin is a mockery and delusion and a snare.

At this moment American silver coin is selling at 97 cents on the dollar in gold—that is, at a premium of 108 in currency. The price, however, is a fancy one, caused by a demand from certain localities which would be filled were it not for the smallness of the supply. As large an increase as this bill would create could not be marketed above its value as bullion. Silver bullion rules at present unusually low, and the recent news from the Comstock lode makes a further decline more probable than an advance. Therefore, it is possible that a silver currency at our present standard might circulate so long as gold remained under 8 to 10 per cent. premium. But gold stands considerably higher than this now, and silver would therefore be exported as fast as it was issued, and we should find ourselves reduced to postage-stamps for small change, as in the first year of the war. Stated roughly, the rule is that whenever one hundred ounces of our standard silver will bring more in foreign markets than can be bought here for \$125 in paper currency, we cannot keep silver in circulation. If these facts are not generally known in Washington, we will undertake to prove them before a joint committee of investigation, if it will come here for the purpose with power to send for persons and papers; and we trust Mr. Bristow will in the meantime cry out lustily, and not allow himself to be placed in a false position.

The new bill for the government of the District provides for the creation of a department to be called the Department of the District of Columbia, with a board of three regents at the head of it, to be appointed by the President and Senate, and removable by the President for cause, with a term of six years, salaries of \$4,500, and almost the whole power of government; no officers to be elected by the people except three members of the Board of Education; fixes

the rate of taxation at two per cent., and makes all taxes payable into the United States Treasury through the Collector of Internal Revenue. Mr. Morrill, of Maine, has the bill in charge.

Irwin still refuses to tell what he did with the \$750,000 given him by the Pacific Mail Company to get their subsidy bill through Congress. He swears that he paid none of it to "any Senator or any Member of Congress, or any officer of the present Congress who was a member or officer of the Forty-second Congress"; but this has not satisfied everybody. Mr. Dawes pointed out on Monday, in making a motion to have Irwin arrested and brought before the bar of the House, that it is extremely unlikely that his method of getting the bill through was by walking up and down the "halls of debate" with a bag of gold, distributing it among the members as he went along; and the House agreed to the motion, after listening to some remarks from General Butler and Mr. Alexander Stephens, who expressed the opinion that Congress had not the power to punish for contempt, while General Butler went further and maintained that Congressional investigations were of no value except as "mud-machines." As he has expressed the same opinion with regard to investigations as carried on by the press, we can only infer that he is opposed to human investigation altogether, and would prefer to leave such matters as Crédit-Mobilier frauds, Pacific Mail subsidies, and Sanborn contracts to a higher court of appeal. Messrs. Beck, Dawes, and other members convinced the House, however, that this was an erroneous position, and the motion passed.

The President has issued a proclamation, at the request of the Legislature of Mississippi, calling on the whites in Warren County to cease their riotous proceedings, and go to their homes within five days. What is to be the next step is not stated, but we suppose Governor Ames will reinstate, or attempt to reinstate, the sheriff of the county, over whose official bond a great deal of the trouble originally arose. It is difficult to make out what grounds for the proclamation there are now, as there has not been any fighting at Vicksburg for two weeks, and if the State government is not strong enough to keep the peace in a single town it must be in so very feeble a condition as to need permanent assistance. As to the character of the Warren County disturbances, all accounts agree that the whites used no actual violence till the negroes marched upon the city; but that the proceedings which led to the resignations of all the black office-holders were decidedly revolutionary there can be little doubt either. That is to say, the whites, driven to desperation by the misgovernment of the place, paid domiciliary visits in unnecessary numbers to the office-holders, and with the greatest politeness informed them that on the whole it would be for the greatest interest of the greatest number if they resigned their offices without unnecessary delay. A visit of this sort to a person in authority, however politely it is done, will naturally be looked on by him as an act of intimidation, and he will regard his resignation as obtained by duress, though he was neither knocked on the head until he signed it, nor ridden out of the place on a rail with a coat of tar and feathers.

Mississippi is a thoroughly negro State. Not only is there an actual negro majority on which the Republican Government rests, but this majority is said to be increasing from the overflow of the negro population from the neighboring States. In Vicksburg they have had such complete control that they have been able to bid defiance to the law itself. Having governed the place as corruptly and ignorantly as possible, and having been indicted for it, to prevent expulsion from office they steal the judicial records of the indictments. This theft was the real cause of the rising of the whites, and though we regret the violence and loss of life which ensued, it seems an almost inevitable result of the state of society and government. The Cincinnati *Commercial* and the Hartford *Courant* have published interesting letters from the scene of the fight, but though there seems no doubt that the complaint of the whites

as to the sheriff's bond was a mere quibble, there is as little that the difficulty between the blacks and whites is too deep to be settled by anything short of a revolution like that which has taken place in so many other Southern States, handing the machinery of the government over to the stronger and, on the whole, better race. As an illustration of the character of the Vicksburg government, the *Commercial* correspondent quotes a Republican and ex-Federal soldier, who has been living there for ten years, as saying that neither the sheriff nor any of his deputies could write a simple return; while the clerk of the Chancery Court, Davenport, was not able to enter a plain continuance on the records. Another election, we believe for sheriff, is to be held in a few days.

The concern now so well known as the "Emma Silver Mining Company (limited)" has been brought before Vice-Chancellor Malins in the English Court of Chancery, on the application of a stockholder, named Askew, for an order to enable him to examine the books and papers in aid of a petition, which he has filed, to wind up the company. After hearing counsel against the motion, the Vice-Chancellor at once granted it, saying that "the case made by the petition was one of gross fraud on the part of the original promoters of the company"; that the shareholders had been led to expect dividends of 70 or 80 per cent.; "that dividends of 1½ per cent. a month had been paid for the period of ten months," but the money had been borrowed for the last two; that "enormous sums had been obtained from the shareholders upon the faith of statements which to all appearance were totally untrue." We may now add that there is at least a fair prospect of light being let in on this nefarious transaction on both sides of the water. The new board of directors and a new solicitor of the company recently took office, and they at once determined to make an attempt to bring the principal promoter of the swindle to justice, cost what it might. Indeed, there is a stockholder in England, whose assistance, however, they have declined to accept, who offers to spend ten thousand pounds of his own money, if necessary, in trying to effect this object. The chairman of the board, therefore, General Gardiner, and Mr. Turner the solicitor, came to this country about three months ago on what Dr. Wines would call a "penological" excursion; and, after a full examination of the whole matter in Utah, have begun a suit against Trenor W. Park, Senator Stewart of Nevada, and General Baxter, for fraud and conspiracy, for \$5,000,000, and will push it vigorously to the bitter end. In the suit which Park's manager at the mine, Silas Williams, has brought against the *Nation*, we only hoped to lay one chapter in the fraud before the public, but now we think we can promise the whole story—and a shameful story it is, full of mischief to honest American enterprises and of disgrace for the American name. Park has just got control of the Panama Railroad, and Stewart is of course known to everybody as a rich "Administration Senator."

The mention of the Emma leads us to say a word or two about our Minister, General Schenck. The retention of him in a place which, before the late reform in the civil service began, was reserved for Americans of the highest standing and character, is perhaps one of the worst incidents in the history of the coarse and venal régime under which we now live, to which the late elections gave such a stinging blow, and to which all honest men will be prepared, we trust, to give another, and a finishing one, two years hence, should it be necessary. He has been principally known and condemned in English society for the last years for his connection with the Emma Mine and his skill as a player of "poker." So little sensitiveness does he possess, however, that he has just brought out a hand-book of "poker" in a little green pamphlet, for private circulation—a work which we need hardly say has still further raised him and his country in foreign eyes. To crown all, he went down, the other day, to a public dinner at Sheffield, and bragged of the field which America offered for English investments, and joked over the fact that some of them were not very profitable, knowing well of what particular investment his audience were thinking, with a coarse cynicism worthy of Fisk, jr.

The controversy in England over the effect of the Decrees of the Vatican Council and the *ex-cathedra* utterances of the Pope on the civil allegiance of Catholics continues, and, if we may judge from the letters and reports in the newspapers, the confusion grows greater. The Catholic theologians, of all shades of opinion, differ greatly about all the matters in dispute. They differ about the nature and extent of the Pope's infallibility before the meeting of the Council; about the nature and effect of the Decrees of the Council; about the extent of the Pope's jurisdiction—that is, about the meaning of the term “faith and morals” and of the term “*ex cathedra*”—and in fact, humanly speaking, about everything necessary to form a judgment as to the precise position the Pope now occupies. In the controversy between Mr. Martin Archer Shee, a Catholic barrister, and Dr. Johnson, Archbishop Manning's private secretary, as to the regularity of the proceedings of the Council, and especially of the form in which the Decrees were adopted, it seems clear, to the carnal eye, that Dr. Johnson got the worst of it. Lord Acton, nothing daunted, has come forward with his authorities for the charges he recently made against former Popes, and has apparently held his ground on all points. Mr. De Lisle, too, a well-known Catholic gentleman who has founded an abbey on his estates and built several Catholic churches, writes an approval of Gladstone's pamphlet, and protests strongly against the reckless statements of Monsignor Capel and Monsignor Patterson with regard to the Pope's authority, and says “such pretensions will be endured no longer.” Mgr. Capel, in the meantime, shows a disposition to take in sail, and tries to explain away the phrase, “personal infallibility of the Pope,” which he used, and somebody else shows that Mgr. Patterson's wild talk in the *Contemporary Review* was really justified by the language of the bull *Unam Sanctam*. In fact, nearly everybody in the fight has thus far produced a bull or decree to justify him. This bull was called out by a Papal quarrel with Philip the Fair, and declared that it was “absolutely necessary for salvation to every human creature to be subject to the sovereign pontiff”; which drew from Philip a vigorous denial of this doctrine, so far as temporals were concerned, in which he addressed the Pope as “Your Folly” (*Tua Fatuitas*)—instead of “Your Holiness”—a form which apparently does not lose its use as the ages roll on.

Apropos of all this, a very large gathering of English Catholics, both clerical and lay, is reported at Rome, and the correspondent of the London *Times* gives as a credible rumor the story that the English Bishops have submitted a plan for something in the nature of a Catholic revival in England—to be carried out by the establishment of new Catholic missions and periodicals, and the increased endowment of Catholic schools and colleges, with professors renowned for combined piety and learning, the raising of the standard of culture for parish priests, and the extension of the operations of the Society of St. Vincent de Paul. It would appear, too, from a lecture recently delivered in Dublin by Father Burke, at which Cardinal Cullen presided, that the church, as far as Great Britain is concerned, is disposed to take the scientific bull by the horns, and accept any theory of the origin of life the philosophers may please to suggest which does not go behind matter, and in this way bring Huxley and Tyndall to confusion. This course is facilitated by the fact that the church is not tied to the Bible as the Protestants are, and makes Dr. Draper's theory that science and the Catholic Church cannot be “reconciled,” while science and the Protestant Church can, look somewhat doubtful. The *Osservatore Romano*, the organ of the Vatican, in the meantime attempts none of the compromises or explanations of the English divines. It says, apropos of Gladstone's pamphlet, that modern civilization had its origin through Protestantism, “that is to say, through an open and wicked rebellion against Christ, and its increment through the struggles of rabid sophists,” and that he who opposes it “is a servant of God, a worthy successor of the martyrs, a vindicator of true liberty.” Of the Pope's Syllabus it says, “Unhappy is he who does not recognize it as his law, a law superior to all laws, because it is divine.”

Dr. Kenealy, the hero of the Tichborne trial, has at last been disbarred by the benchers of Gray's Inn, to which he belonged, and the Lord Chancellor had previously, we believe, either resolved to strike his name from the list of Queen's Counsel, or had actually done so. He has appealed to the judges. His career has been a strange one. He is a man of brilliant talents, of great forensic power, of high literary culture and considerable legal learning, and has achieved distinction as a writer of English verse, and, in spite of an erratic temper, had succeeded at the bar, and was made Queen's Counsel, we believe, in 1863. His behavior at the Tichborne trial was, however, very bad, and since then he has started and conducted a scurrilous paper called the *Englishman*, for the purpose of avenging himself on his enemies, a category which includes the judges, the jury in the Tichborne case, the leading members of the bar, and especially the members of his own Inn, all of whom he blackguarded in the regular Yahoo style, with which more than one organ of public opinion has made us familiar here. After standing it a good while, the benchers of Gray's Inn, of whom he is one, expelled him, and some public comment has been excited by the fact that the tribunal which has thus kicked him out of his profession was composed, in part at least, of his personal enemies; to which the tribunal replies that it resembles a court-martial, and its members are therefore no more disqualified for sitting on him than the officers of a regiment or a brigade are for sitting on one of their own number, by whom they have been insulted, and who has been generally insubordinate and disorderly.

The Deputies from Alsace-Lorraine in the German Parliament have for some time shown a disposition, by no means unnatural, to make themselves slightly unpleasant to the Imperial Government, and even to put on an air not only of being oppressed but of being irreconcilable. The other day they objected stoutly to a loan bill introduced on behalf of their province, on the ground that it provided for too large an endowment of the Strassburg University, and made appropriations for educational purposes in the interest of the empire rather than of the provinces themselves. This drew from Bismarck one of those declarations which his enemies call brutal, and which doubtless are brutal, but which have the sovereign merit of doing away with all misunderstanding, and letting everybody know where he stands. In fact, we can hardly avoid considering it an act of kindness to the Alsace-Lorrainers. He said the bill, it was quite true, did concern the empire and not the provinces in question; that the university is to serve imperial purposes; that the provinces were conquered for the benefit of the empire, and are retained for the benefit of the empire; that the conduct of the deputies in the Imperial Parliament showed that a Provincial Parliament would not work; that his policy with regard to Alsace-Lorraine would “always be guided by the interests of the empire and its safety; that he would not be frightened from his course by reproaches, threats, or intimidation,” and that he built his hopes of peace and tranquillity on the rising generation, and must, therefore, see to their education.

Count Arnim has been found guilty and sentenced to three months' imprisonment, the month he has already undergone to pass as part of the penalty. Nothing has transpired to enable one to form any clearer judgment as to the moral aspect of the treatment inflicted on him. It appears to be very plain, however, that he had acted illegally, perhaps defiantly, and in violation of good order and discipline, but then some allowance has to be made for the effect on a man of the Count's temper and antecedents of his own estimate of himself and his importance, and of the habits bred by long and intimate friendship with his chief. The affair has ended somewhat ludicrously for those who believed it would result in Bismarck's overthrow, or would lead to any startling revelations. A correspondent in another column furnishes some useful information as to the law of the matter.

THE LEGAL-TENDERS AND "THE DEBTOR CLASS."

THE proposal made by the Secretary of the Treasury that the Legal-Tender Act should be repealed at an early day as regards future contracts, has caused a good deal of commotion among those politicians who have taught themselves that irredeemable paper is the true foundation of popular government; so much so that Mr. Kelley—whose sanity is vouched for by Mr. George W. Blunt—declares it would be "the greatest crime committed since the partition of Poland." It has caused, too, more or less apprehension among that remarkable body of persons now known in political discussion as "the debtor class," and who are popularly supposed to be very poor and needy and in constant fear of a visit from the sheriff, but who, whenever one calls for names and goes into particulars, are usually found living in large mansions, in Beacon Street, Fifth Avenue, and Chestnut Street, with huge safes stuffed full of stocks and bonds, but especially stocks.

Now, we are among the number of those who hold that Mr. Bristow's plan would be not only harmless as regards future contracts, but as harmless as regards all contracts as any change in the currency of which due notice is given can ever be; and that the popular fondness for the legal-tender character of the Government paper is based on a delusion as to the power of Government over any paper not redeemable in coin—a delusion current even among educated men ever since 1861, and of which Mr. Chase took advantage in a very adroit way when he issued paper-money in sufficient quantities to give his bonds the appearance of being sold at par when they were really being sold at sixty cents on the dollar. Whenever the history of the war comes to be thoroughly written, with due attention to the civil side of the struggle, the state of the popular mind on this subject will furnish materials for a chapter of extraordinary interest, as illustrative of the curious psychological support which even a system of bad finance may draw from patriotic enthusiasm. The opinion has prevailed from the date of the first issue of greenbacks almost down to this hour that the poor and "the debtor class," and in fact consumers generally, were protected in some way against creditors and vendors by the fact that the greenbacks were made a legal-tender. The truth is that neither the Government nor anybody else, except debtors on contracts made before the war, derived any advantage from it whatever. All persons who had made contracts before 1861, or during the years 1861-2, falling due before 1864 or until the decline in gold set in, undoubtedly made money by the payment of their creditors in the depreciated paper. On the other hand, all persons who made contracts in the years 1862-3-4 which have matured since 1865, have lost money, owing to the appreciation of the paper since that time, so that it may be said that "the debtor class," as a whole, has made very little if anything by paper legal-tenders. Any one who made contracts during or before the year 1862 payable any time before the close of 1869, profited by the legal-tenders. Any one who made contracts in 1863 payable before 1869, came out about even; any one who made contracts in 1864 payable any time since that, however, has lost heavily. The debtors of 1865, in like manner, only escaped by paying in or before 1869. The same may be said of the debtors of 1866, 1867, and 1868.

In fact, the following table of the average price of gold each year—based on the highest price of each month—and dropping the fractions—from 1862 to 1873, will show better than anything we can say the vicissitudes through which "the debtor class" have passed, since the suspension of specie payments, in spite of the legal-tenders:

1862.....	118	1868.....	142
1863.....	154	1869.....	137
1864.....	220	1870.....	117
1865.....	166	1871.....	112
1866.....	146	1872.....	114
1867.....	139	1873.....	115

It will thus be seen that the greenback has risen over thirty-three per cent. in value as compared to gold since the war, or, in other words, that a man who made a contract in 1865 has, in paying his obligations under it now, to pay one-third more in the money of the world, or foreign goods, than he contemplated at that period. In

the years 1869-70, the greenbacks rose in value fully one-seventh, which ought, under the theories we hear propounded as to the dreadful effects that would result from a further rise of ten or eleven per cent., to have ruined the debtors of 1869, but as yet there has not been, so far as we have heard, a word of complaint from them. They appear, in fact, to be able to stand any fluctuations in the value of the currency, however great, as long as they do not bring us back to specie payments or a gold basis, and remind one of a patient who should say to his physician, "Physic me, doctor! amputate my legs and arms, cauterize, cup, bleed, or trepan me as much as you please, but for heaven's sake don't cure me, or I shall die."

Nothing, too, could illustrate more forcibly than this table the fallacy of supposing that the legal-tender quality of the greenbacks gave them any stability in value, or did anything for them beyond making them an effective instrument in the hands of such debtors as were able to pay off their liabilities, previously contracted, between 1862 and 1865. Nor did the Government gain more by it than private persons, as any one may satisfy himself by an examination of the prices it had to pay for the commodities it purchased during the war, and the rates in gold at which it sold its bonds. Its paper circulated, as nearly as can be ascertained, precisely as one might have expected it to circulate as a promissory note of the United States, which nobody need have taken unless he pleased. The non-interest-bearing notes of such a government would, like its interest-bearing bonds, always have had a certain value in the market, which would have been, we venture to assert, about what that of the greenbacks was. They would have risen and fallen, according to the quantity of them issued, and according to the ups and downs of the war, as the legal-tenders actually did. Moreover, they would have been used as currency pretty much as the legal-tenders were. There is a notion afloat, which the admirers of the greenbacks studiously spread and uphold, that Government notes without the legal-tender character would not have circulated as money unless they were redeemable in coin at the Treasury on demand, but there is no foundation for this either in the history of finance or in our experience of human nature. Anything which furnishes a convenient currency, and which has a fair prospect of redemption some time or other, always circulates in hard times at some rate. Indeed, there are numerous examples of the circulation of things as currency which had no intrinsic value, and were never likely to have any, because they supplied for the moment the needs of trade. The greenbacks would always have circulated, as the promises to pay of a powerful nation, though of course at an open discount instead of a covert one. Gold would not have gone wholly out of use, because there would have been a certain demand for it. So that when you asked the price of a thing you would have been told what it was in coin, and also what it was in paper, and you would doubtless have been allowed to pay in either; for the notion that dealers refuse to carry on business unless they can get payment in the money they prefer, instead of the money customers find it most convenient to give them, is another of those illusions got up by "the debtor class," and which also has no foundation in experience. Dealers always sell for the kind of money the mass of customers have to offer, and protect themselves against its possible badness in fixing their price. This is what they would have done in taking greenbacks, even if greenbacks had never been made a legal-tender. This, too, is exactly what they did after greenbacks had been made a legal-tender. "The debtor class" supposed foolishly that when they went into a store and asked the price of a thing, and the storekeeper gave it them in paper, he thought nothing about the real price in gold; and that this forgetfulness of his was due to the salutary legal-tender feature stamped on the paper by the wisdom of Congress. But there could not be a greater mistake. When he marked his price on a piece of goods, he always calculated, first what it cost him in gold, and then what he would sell it at in paper; and in doing this he considered first what the discount on paper was at that moment, and then added it to his paper price. Then he considered what the discount might become under the influence of fresh issues or military disasters when he

came to pay his notes, or renew his stock, and added something more in order to cover the risk thus incurred. If we were to-day to ask any dealer in the United States whether in marking his goods at any time since 1861, the legal-tender character of the greenbacks made any difference to him, he would be pretty certain to reply that he never thought of them except as paper in which he would probably be paid, and which was at that time depreciated in the market, and likely to remain so. The notion that it was money like gold did not enter into his head. He dealt with it as he would deal with cowries in Africa or government notes in Hayti. It was only barbarian politicians like Logan, or ignorant negroes, who made fetish of it, and worshipped or wept over it.

The Government ought not, however, to do anything to the paper which may possibly change its value as between parties to existing contracts, except as a means of redeeming it in gold. It was guilty of a great wrong when it in this manner interfered with existing contracts in 1861. That wrong was recognized fully when the war was over; and the Supreme Court attempted to prevent its continuous perpetration, when all semblance of excuse for it had ceased, by the decision in *Hepburn v. Griswold*, which was afterwards set aside by the intervention of two new judges, the majority of the Court then deciding in effect that the power of raising forced loans and permitting debtors to defraud their creditors was constitutional, and might prove necessary to the national safety. This was a great misfortune; for the interference of a government to disappoint the reasonable and lawful expectations of men in their private dealings is the mode in which national swindling is most commonly committed. It ought not, therefore, to be repeated. Any man who has made a contract which he expected to pay, and his creditor expected him to pay, in greenbacks, at such discount as prevailed in the market, ought not to be disappointed by any legislation which has not for its object the fulfilment of Government obligations. But Mr. Bristow does not propose any such disappointment. He proposes simply that any man who makes a contract now, payable on or after a certain date, shall understand that it will be payable in coin, and nothing else. There is nothing objectionable about this. It simply makes legally imperative the calculation which prudent men have always hitherto made, whether openly or privately. Every man who has made contracts during the last fourteen years has really made his calculations in gold, though he may have expressed them in paper. What Mr. Bristow proposes now is that he shall not only make but express them in gold. There is here no interference with the obligation of contracts, and no encouragement or suggestion of any description of fraud; and if the suggestion forms part of a scheme for the redemption of greenbacks in coin within a reasonable period, it is absolutely free from objection of any kind.

THE DEPARTMENT OF JUSTICE.

THE creation of a new department of the Government by act of Congress in 1870 was looked upon by lawyers generally throughout the country with a good deal of satisfaction. The steady increase of the number of States and of the population of the country, and the growing importance of the business of the United States courts, had begun to render it necessary to organize in some way the legal machinery at Washington. The courts were overrun with business, while the numerous legal officers of the Government, scattered over a vast extent of territory or huddled together in the various bureaus in the District of Columbia, were subject to little or no organized discipline, responsible to no common head, and were frequently engaged in the solution of legal questions at cross-purposes, to the great delay of justice and confusion of law. To remedy these evils, so far as they related to the courts, Congress increased the number of Federal judges, and the new offices were filled by the President to the satisfaction of the public and the legal profession. To remedy the confusion, continually growing worse confounded, in the other branch, it was decided to create a new department of the Government, having at its head the Attorney-General, and under him all the legal advisers of the various depart-

ments, as well as the district-attorneys in their various districts, in such a way as to give the Attorney-General for the time being complete control of the suits brought by and of the legal advice given to the United States. The name given the new bureau was the Department of Justice—a misnomer, certainly, for there is little resemblance between an American Attorney-General and a European Minister of Justice. Possibly we may see in the magnification of the title evidence of a vagueness of design on the part of the authors of the bill.

The new judges have, we believe, performed their duties satisfactorily; the Department of Justice has discharged its new functions peculiarly. So far as it was intended to give the Attorney-General more power, and to make him the head of the machinery for executing laws, it has worked admirably. He has for some years made and unmade governors, reprimanded judges, and issued orders for enforcement or non-enforcement of laws through a large part of the country, pretty much at his discretion; and almost the last news from Washington is that a caucus of Southern Republican Congressmen have determined that the only way to restore peace and tranquillity at the South is by appropriating money for the War Department and the Department of Justice, making the appropriation for two years instead of one, so that it may not be interfered with by the Democrats when the next House comes together. It is only a few weeks since it was given out from Washington that a highly respectable judge had earned the displeasure of the Department of Justice, by returning answers to the questions of a grand jury on the construction of statutes of the United States. Indeed, as most of the Attorney-General's important operations do not consist of acts of any kind for which he can be held responsible, but merely of legal opinions, he enjoys perhaps a more utterly irresponsible power than any other officer even of our despotic system. The President may be impeached; members of Congress may be expelled; but when the Attorney-General, having a certain state of facts presented to him, and being asked, on the facts, what is the law, replies that the law is so-and-so, when it is a matter of fact exactly the reverse—for him no punishment is provided, nor even seems possible.

For these reasons, the most important thing in organizing the Department of Justice was the selection of a fit person as Attorney-General. Reforms in departments of government are not automatic. Their character depends generally on that of the men who undertake to carry them out; and it is not due to the censorious disposition of the public that the administration of the Department of Justice has become identified with the name and career of the present Attorney-General, Mr. George H. Williams, he having been the most prominent incumbent of the office since the date of the act of Congress increasing his powers. Mr. Williams has had an opportunity of appearing publicly on some very important occasions, when large interests were involved, and on the whole he has been, strictly speaking, a more conspicuous Attorney-General than any of his distinguished predecessors. He has appeared as legal adviser to the Government in all the Reconstruction cases which have arisen; he has undertaken on behalf of the Government to recover large sums of money of which it was unquestionably defrauded by the *Crédit-Mobilier* corporators; he has attempted to guide the Government through the intricacies of the *Virginia* case; he has very recently advised the Government with regard to the Pacific Mail subsidy; he has been a candidate for the Chief-Justiceship. In some of these cases his knowledge of the law has been put to the test, in others his judgment and discretion, and in his candidature for the Supreme Court his whole previous life and character were carefully examined. From the glare of publicity which has been shed upon his office, we are in a position to determine pretty accurately the character and value of the "Department of Justice." We shall not attempt to discuss here the Attorney-General's proceedings and advice under the Reconstruction acts, but merely touch upon certain points lying wholly without the domain of party politics.

In the *Virginia* case, Mr. Williams had an opportunity of show-

ing what he knew of international law. The *Virginus* was a Cuban vessel, well known to all the world and to the Government to be engaged in a hostile expedition against a friendly state. Her character was indeed a matter of such common notoriety that the Government has been strongly suspected of a grave dereliction of duty in not preventing her ever having the opportunity of making the attempt to invade Cuba. Having been driven off in attempting to land a hostile expedition on the shores of the island, she was captured on the high seas, and, after some hasty drum-head proceedings, large numbers of those on board were shot, some of them being English and some American citizens. This execution furnished a ground for just complaint; but the Attorney-General, on the case being referred to him, decided that the real outrage was not so much the execution as it was the fact that the *Virginus* was flying the American flag at the time of her capture—thus taking the extraordinary position that any pirate or buccaneer who could manage to procure a fraudulent register and a piece of bunting with stars and stripes on it, could bid defiance to any government, hovering about its coasts just three miles out, and landing hostile expeditions whenever opportunities should occur. The capture of the vessel by Spain was justified by one of the fundamental principles of international law—the right of self-defence; and in the end we were obliged to dispense with the salute to the flag, and to bind ourselves to have the *Virginus* and all concerned in the violation of our laws proceeded against in the courts. Meanwhile, the English Government, simply proceeding against Spain on the ground of the massacre, recovered indemnity without having any flag in the case at all. This was a curious termination of the case, looking at it from any point of view; and we are forced to come to the conclusion to which nearly every well-known publicist in the country who has discussed the question seems to have come, including Mr. R. H. Dana, jr., of Boston, the editor of *Wheaton*, and President Woolsey of Yale College, that the opinion of the Attorney-General shows a singular ignorance of the principles which govern the intercourse of nations.

The law of nations, however, is, in the opinion of some jurists, so difficult to reduce to fixed rules, and so coarse in the sanctions it imposes, that they are inclined to devote themselves to other branches. If Mr. Williams belonged to this class, it would be fairer to compare him with men like O'Connor and the late Judge Curtis, than with Mr. Webster; and his friends might on this account prefer to have him judged by his opinions on questions of municipal law. The Pacific Railroad was built, as every one knows, by the *Crédit-Mobilier* Company, and the money came from the United States. The construction was, from first to last, tainted with fraud, and after the exposure in Congress it was determined to recover the money in the courts. Into the question of the proper method of doing this it is unnecessary to enter here. It is enough to say that Congress passed an act directing the Attorney-General to recover the money in one of the United States Courts. The interests involved were enormous: the defendants were represented by the ablest lawyers that could be found in the country; the United States were represented by Mr. Williams. Whether he had a strong case or a weak case we shall not definitely know until it is decided by the Supreme Court at Washington; but as to how well the Government's interests were represented by him there is no doubt. He made a failure; he made even so bad an appearance, and exposed so much ignorance of his case and his duties, that the contrast between himself and Mr. Evarts (himself an ex-Attorney-General), became almost painfully ludicrous.

Turning to the Pacific Mail case, we find that the matter of the payment of the subsidy was recently turned over to the Attorney-General. The Pacific Mail is a company which hardly belongs to a class that we should expect Government officials to look on with a favorable eye in doubtful cases. It is, to be sure, an American line; but, on the other hand, its stock is the foot-ball of speculators; its management is so reckless that a list of ten ships has been recently made out as lost by it; and, worse than this, it is strongly suspected that the act authorizing the subsidy was obtained by fraud and cor-

ruption. Add to this the fact that the subsidy was to be paid to the company on the condition of their having ships of a certain class to perform the service, and you have the case which the Attorney-General had before him. There was a clear technical default on the part of the company, and at the first blush it would seem that the Government had an excellent opportunity of getting out of a very suspicious bargain. Under these circumstances, the Attorney-General decided in favor of the subsidy, and on the ground of the *bona fides* of the company. The case, it will be seen, was a mixed matter of fact and law, and involved no delicate points of international or municipal jurisprudence. It was rather a case involving discretion and good sense.

But we have not only had these public illustrations of Mr. Williams's judgment and forensic skill and legal attainments, we have also had an indirect official enquiry into his qualifications for office, when the Senate had his name under consideration for the Chief-Justiceship. It was then discovered, not that his character was bad, for we doubt whether the "charges" under which he was laboring at the time were substantially proved, but that he was no lawyer. He had acquired what legal experience he possessed in Oregon. He proved to be, in fact, a politician who turned his law to account in the scramble for place, but professionally had neither reputation nor the right to it. Indeed, his nomination was publicly denounced by the Bar Association of this city as that of a man "wanting" in the qualifications of "intellect, experience, and reputation." It is safe to say that the evidence brought before the Senate at that time showed him quite as unfit to be the head of the "Department of Justice" as to be Chief-Justice.

Such is the professional history, so far as the public knows it, of Mr. Williams and his Department. There may have been a multitude of cases which he has decided correctly; as he has many faithful subordinates, the routine work of the office may have been well done where he has not interfered with it. But the cases in which a minister of justice puts himself to the test are the public and notorious ones in which he appears as the chief legal officer of the country. Particularly is this so when he appears before the country in charge of machinery for the improvement of a branch of administration. As we observed the other day, "reform" in the minds of nine-tenths of the people who demand it does not mean a mere change or amendment of laws—it means the substitution of men fitted by character, reputation, ability, and attainments in positions of trust and authority for incompetent or corrupt place-hunters. When the Department of Justice was instituted, the Administration had a good opportunity for improvement within narrow and well-defined limits, but people smile now when they hear of the "Department of Justice," because it means merely to them Mr. George H. Williams. We doubt if the Democrats, should they carry the next Presidential election, will have any better field for the exercise of their loudly-expressed desire for reform than in the appointment of Mr. Williams's successor.

SCIENTIFIC MEN AS PUBLIC TEACHERS.

A CORRESPONDENT raises in another column a question of considerable interest (apropos of what we have recently said of Professor Tyndall's utterances at Belfast), which seems to call for a fuller explanation of our meaning. Mr. Tyndall's views as to the origin of life have undoubtedly great psychological interest. So have those of any eminent physicist who is constantly working, as he is, on the edge of the great mystery, and, even in a trifling degree, pushing back its limits. But then his views in the case under discussion were not offered as a psychological study, but as a real contribution to the explanation of a problem of great moment; and our objection to his offering them in the way in which he did offer them is justifiable, we think, on grounds which we shall state as briefly as possible.

Science is in all but undisputed possession of the physical world, and it is making claims which grow stronger every day to jurisdiction over the moral and mental world, which it insinuates, if it does not allege, are but provinces of the physical world. The scientific man not only tells me how the earth was prepared for me to inhabit, and how I grew on its surface into the kind of

animal that I am—"an unstable chemical combination," held together by an instrumentality which he calls "vital force"—but he says he is almost certain that my mental action, and consequently my morals, are the result of chemical or mechanical changes in the structure of my brain, and that he greatly doubts whether my freedom of the will, over which I crow so much as distinguishing me from the brutes, is not an illusion; for he adds that he is at present engaged in the study of sociology as well as of biology, and expects to show us before long that though he cannot tell how any one of us will behave, he is able to predict pretty accurately how a herd of us, forming what we call a nation, will conduct ourselves under given circumstances. In fact, he knows all about us, either jointly or severally. He knows the origin and composition of our bodies, the source of our gestures, appetites, affections, tastes, and customs; the origin and history of our habitat; the effect, on our structure and mental action of all gases, deposits, exposures, permeations, and environments of every description. He is competent, and he maintains that nobody else is, to tell us what to eat, drink, and avoid—when to marry, how to bring up our children; to indicate the source of our vices, and determine the exact nature and extent of what we call our moral responsibility; and to point out the proper mode of getting rid of our disgusting remains after death.

Now, these claims taken together really constitute a demand on our physical and moral submission and obedience such as were never made by any order of priests since the world began. They make the pretensions of the Pope and the Councils seem slight and shadowy, because while the Church has always had a clear-cut theory of the universe, she has admitted that the world was governed by an apparently capricious Deity, whose purposes she could not reveal, though it was her business to appease him. The scientific man, on the other hand, professes to be the minister of a power in whom is really no variableness, and whose plans can be foreshadowed, and whose rule over the universe is absolute, and of whose requirements he, in his character of chemist, or biologist, or physiologist, or naturalist, is the only interpreter. We doubt much whether the contempt of a mediæval doctor for a lay opinion on a theological question was any greater than that of a natural philosopher in our day for a non-scientific opinion on a scientific question; and, as we have just pointed out, *all* questions are rapidly becoming scientific questions.

But no matter what solution of the problem of liberty and necessity sociologists may reach, the fact is that the great bulk of the work of the world will always have to be done on the theory that man's will is free. By this we do not mean to lay down dogmatically, with the metaphysicians, that men's voluntary actions are in any part undetermined by what has preceded and accompanies them in the characters and circumstances of the agents; or are absolutely capricious, baffling the computation of infinite intelligence; we mean only that to finite intelligences (including the scientific men) the case is *practically* as the metaphysicians put it. All that is essential in what we maintain against the preaching of the "scientists" is, that men's actions, whether determined or not by their antecedents and surroundings, cannot be scientifically predicted or guided, even so well as the weather; or can be foreknown only in vague outlines, and in particulars which are dubiously volitional. Such prediction and guidance as are possible in the simplest of the physical sciences, astronomy, and in the exactest of useful and experimental arts, are as impossible in human actions (notwithstanding the pretensions of the scientists) as if these actions were absolutely free from the law of causation. The poor fellow whose case Professor Huxley commented on at Belfast, as a suggestion, if not more, of the hypothesis that man is an automaton, was not and could not be treated as an automaton by his officers when they were holding the burning village of Bazeilles, amid sights and sounds of the utmost horror. By far the larger part of human activity will always have to be aroused or stimulated by agencies by no means scientific. Doctors, lawyers, ministers, teachers, legislators, soldiers, editors, must always play a very prominent part in carrying on human society, and must constantly rely for success on processes which a scientific man might smile over. Mr. Herbert Spencer, in his latest work on the 'Study of Sociology,' twitting Mr. Gladstone (a sign of this gentleman's objections to the doctrine of evolution, nevertheless) that his mental attitude, which is one of combined reliance on Providence and on human exertion, as an illustration of "the healthful process of compromise between the old and the new" which is going on in the public mind generally in our day. He mentions as other illustrations of the same thing the fact that when the Prince of Wales "outlived certain abnormal changes in his blood," on his recovery "providential aid and natural causation were unitedly recognized by a thanksgiving to God and a baronetcy to the doctor;" and he adds that "while the prayers with which each legislative sitting commences show a nominal belief in an immediate Divine guidance, the votes with which the sitting ends, given in pursuance of

reasons which the speeches assign, show us a real belief that the effects will be determined by the agencies set to work." Mr. Spencer evidently, however, thinks this state of mind is of recent origin, and is transitory, and that "the old" will before long give way wholly to "the new." This is a point on which we may, however, permit ourselves to differ with him. There is about as much chance of any such consummation as there is of the mass of men receiving a thorough scientific training. The "compromise" is as old as civilization itself. To go no further back, Cæsar, after the defeat of Sabinus and Cotta, held out the prospect of deliverance to the troops through "the favor of the immortal gods and their own valor," and Cromwell's advice to his troops in Ireland, "Put your trust in God and keep your powder dry," has almost passed into a proverbial expression of the popular notion of the relation between faith and works. So, still more recently, when the old Scotch judge, Lord Braxfield we think it was, warned a prevaricating witness that "the eye of Almighty God and of the police of Edinburgh was upon him," he mentioned two sanctions for truth-telling which his audience recognized as about equally powerful. People may cease to believe in what we now call Providence, but as long as they sometimes see the best-laid schemes miscarry and the wisest and most heroic efforts fail, or, at other times, see fools and sluggards carry off the prizes of life, they will put in the place of Providence some other deity which scientific men will probably think contemptible. They will worship Fortune or Fate, or, in other words, the disturbing, uncertain element in human life, if they can worship nothing else, until such times as science makes it as easy to govern, or teach, or fight, or cure, or persuade, as to calculate an eclipse or decompose water.

This amounts to saying, however, that the great body of men will always remain to a greater or less extent under the domination of authority in the conduct of their lives. Not knowing themselves where the line lies which separates the certain from the uncertain, they will listen reverently to anybody who does or says he does. The training which will enable a man to stand up against or overhaul the conclusions of the leading scientists of the day on subjects over which they claim jurisdiction, will never be given in schools or colleges to the bulk of any community. The great majority will always have to sit at somebody's feet, and take their truths on trust from somebody who professes to have made a special study of them. In times past the clergy have occupied this relation to the people. There are numerous signs now that the scientific men are gradually taking their place, and that they are by no means unwilling to take it; but it is of great importance that they should not be allowed to make priests of themselves, and that we should not forget that there are more things in heaven and earth than are dreamt of in any man's philosophy. They, like the rest of us, are "unstable combinations," with varying amounts of vital force. They are modified by various external agencies. Their nervous system is disturbed, as is that of the Pope and the bishops, by indigestion, by cold, by heat, by ambition and self-love, and divers other passions. They are consequently, ministers and interpreters of nature though they be, liable to fall into many sorts of errors and illusions, and it is the duty of those who have to live under them to see to it that they do not get into the way, like that with which the clergy have been so often reproached, of considering themselves and science as the same thing, and giving forth their own utterances as if they were hers. They are constantly tempted and stimulated into this attitude by the intoxicating influence of popular admiration. There are already plenty of people ready to receive anything Tyndall or Huxley says as scientific, whether it be a mere guess or the result of experimental demonstration, just as plain Catholics will surely take all the Pope says as "gospel truth," whether he speaks *ex cathedra* or not. For instance, we have no doubt that Professor Tyndall's history at Belfast impressed most of his audience as fully as reliable as his pure science, yet on the former he was no authority at all, and made some evident mistakes.

The only way to guard against this sacerdotal tendency—for so we may call it—is to insist on scientific men adhering rigidly to their own rules of reasoning. The public ought not to permit their appearance in the metaphysical or theological arena, to clothe pure speculation with the authority derived, and only derivable, from careful experimentation. The objection to their joining the theologians and metaphysicians in speculating about the first cause, is that in doing so they are departing, which the theologians are not, from their own method, and drawing conclusions which science forbids them to draw. The reason why the public listens to them with deference is, that it believes that they are now the only teachers whose assertions are made on the strength of inductions from facts. In short, the definition given by Newton in the 'Principia' of a scientist's position with regard to such questions as Tyndall touched on at Belfast when he made his "confession" about matter, is one to which the public supposes that scientists in our day adhere, and it is one to which the public ought to insist on their adhering if they are going to play the

part of lecturers on nearly all great moral problems of our time, and are going to make a practice of submitting to promiscuous audiences the darkest and most tremendous suggestions of the laboratory and the dissecting-room. Newton is discussing the source of gravity, just as Tyndall was discussing the source of life, and though Newton is addressing a scientific audience he thus clears his conclusions carefully of all speculative vapor: "But hitherto I have not been able to discover the cause of these properties of gravity from phenomena, and I frame no hypotheses, for whatever is not deduced from phenomena is to be called a hypothesis, and hypotheses, whether metaphysical or physical, whether of occult qualities or mechanical, have no place in experimental philosophy. In this philosophy particular properties are inferred from the phenomena and afterwards rendered general by induction; thus it was that the impenetrability, the mobility and impulsive force of bodies, and the laws of motion and gravitation, were discovered."

Scientific men are, we believe, of opinion now that Newton was too cautious about hypotheses, and had too much aversion to them. Newton treated in such brief and obscure terms of hypothesis and its use in science in the passages usually quoted, that his meaning ought to be sought in his practice. From this it appears evident that he did not mean by the hypotheses he condemned the questions, suppositions, or interrogations of nature, in which his imagination was even more fertile than Kepler's; but any assumptions not proved by induction from phenomena directly, or indirectly through the mathematical deduction of consequences, which could be tested by observation or experiment. In the beginning of his 'System of the World,' he proposes to treat by this latter method, or, as he says, "in a mathematical way," the theory of gravity, or of the *centripetal* force (which is all that he asserts of its nature) that holds the planets in their orbits, "in order to avoid all questions about the nature or quality of this force, which we would not be understood to determine by any hypothesis." Kepler, Descartes, Hooke, and others had attempted such hypotheses; that is, assumptions from which they deduced nothing "in a mathematical way" that if found true would prove the hypothesis, or if false would disprove it. Such were the hypotheses which Newton did not make, or at least tried to avoid, more particularly (it ought to be noted) in respect to the theory of gravity, which he wished especially to disencumber from unnecessary considerations. In hypotheses of the other sort, that is, questions, or *verifiable* hypotheses, no genius was ever more fertile. Their value, and the value of fertility, or even of rashness, in framing them, in the pursuit of scientific truth, are admitted. Every successful explorer probably owes a large measure of his success to his readiness in inventing them; and in fact, all that scientific men exact of each other with regard to them is, that they shall not be held one minute after the attempt to verify them by an examination of the facts has failed. An investigator may, in short, use as many of them as he finds necessary for his purpose—that purpose being the discovery of some law of nature—and cast them aside without discredit when he finds them worthless. But this license is granted solely on the supposition that he remains in his laboratory or observatory, and communicates only with his fellows in the course of his investigations. It certainly was never contemplated, and ought not now to be suffered, that when scientific men step forward as popular lecturers before promiscuous audiences, they may produce their various unverified and perhaps unverifiable guesses, and offer them for inspection as quasi-scientific results which plain people would do well to ponder and retain in their memories.

It may be replied by some one that Mr. Darwin has not acted on this rule, and has promulgated a theory of the origin of species in general, and of the human race in particular, which is still unproved. But he did not produce it until he was able to accompany it with an enormous mass of evidence, to present it in a book on which he had spent many years of labor, or without surrounding all his positions with the most careful limitations and reserves. If anybody draws from his suggestions stronger inferences than they can be made to support, it is certainly not for want of pains on his part. It ought not to be forgotten that one of the greatest scientific men who ever lived—Kepler—preceded his great discoveries by a series of fanciful hypotheses, of which his biographers are ashamed; that he believed in astrology, and even cast nativities. It is not at all unreasonable to ask men of science, therefore, to lay down the rule for themselves, not to communicate *ex cathedra* to popular audiences any hypothesis as scientific which, while it is capable of producing great moral confusion, is not capable of verification. It may be true, for instance, that matter contains "the promise and potency of every form and quality of life," and it may be interesting to Mr. Tyndall's friends to know that he believes it; but the verification of this hypothesis is and must for ever remain beyond the boundary of experimental evidence. After all, perhaps we treat the matter too seriously. The scientific spirit is so much diffused that it would, we

admit, be difficult if not impossible to build up in our time anything like a scientific church, with charlatans or bigots for the clergy; but it is worth while, in the interest of the unlearned and unstable, to utter a protest that may at least help to keep the young scientists modest and self-distrustful, or, in other words, thoroughly scientific.

THE STATE OF PARTIES IN FRANCE.

PARIS, Dec. 4.

AT the time when the Chamber meets again after its long recess, it will perhaps not be inopportune to make a general review of all our parties and, as it were, a reconnaissance of their positions. I will at once begin with the party which has become, in the opinion of many, the most formidable—the Bonapartists. The forces which have been at work in its favor are of two kinds; some are negative, some positive. The negative forces have been the famous *pacte de Bordeaux*, the want of a definitive government, and the faults of the Comte de Chambord. During the whole period of the Gambetta Government and of the struggles of the country with the invaders, the Legitimists had taken an excellent position in the country; they had accepted the rôle of adventurers, and had fought at Coulmiers and other places. Everybody was astonished when the country, at the end of the war, sent to Bordeaux a very large number of Legitimists; the Orleanists were even in larger numbers. It was evident that the instincts of the people could never find better expression than at a moment when France was in danger, and when the nation turned its eyes on the men whom it judged the most capable, the most trustworthy, the most honest. The Assembly, when it met at Bordeaux, was monarchical; but M. Thiers took advantage of the old divisions of the Legitimists and the Orleanists, and he made the famous truce which placed him in possession of the government. The monarchical tide was only arrested for a moment; it rose against the Commune with an overwhelming force; and when the troops re-entered the capital still covered with barricades, the proclamation of the Monarchy on the smouldering ruins of the Tuileries would have been applauded by all the Conservatives in the provinces. M. Thiers continued to oppose the efforts of the Monarchists, and when it became evident that he had only used the truce he had imposed on all parties in the interest of a party, the Monarchical majority of the Chamber hurled him from power on the famous night of the 24th of May.

The crown was soon afterwards offered to the Comte de Chambord. The representative of the branch of Orléans had gone to Frohsdorff and declared that he recognized in the eldest Bourbon the only legitimate pretender; the two fractions of the Monarchical party had forgotten all their old differences; the Orleanists had sacrificed their ambitions, their preferences, in the interest of France and of a union which the progress of communistic and anarchical ideas, as well as the defeats of the war, had rendered absolutely necessary. I need not say what followed. The Comte de Chambord showed himself quite unworthy of the high trust which Providence offered him. He did not understand his time, his country, his duty. But this great monarchical tide, which had set in as early as the beginning of the war, which had become all the more impatient as it had been stopped by so many obstacles, could it cease to flow? It could not run in the old monarchical channel; it was quite natural that, after some hesitation, it should return to the lately abandoned channel of the Empire. And when once instincts have found their pole, it is marvellous how obediently intelligence will find arguments in their favor. Even the death of the Emperor Napoleon served the Bonapartist cause; the peasants made the legend of the vanquished of Sedan; the Emperor was no longer what he had been—he was sick; he had been forced into the war by treacherous enemies, dragged like a victim with the wagons of the army to the field of Sedan and to captivity. His star had faded, his fortune had left him; they only remembered his old triumphs of the Crimea and of Italy, his unbounded generosity; they sighed for the long years of calm during which France had become so rich and prosperous. We must always bear in mind that there are in France about three millions of peasants who hold small properties; they care little for the liberty of the press or for parliamentary prerogatives; this calm of the Empire, which to so many of us seemed so oppressive that we had to leave France to take a bath of free air, was to them the natural atmosphere of a strong and good government. After a kind of total eclipse, the Bonapartist party has therefore come again to the front, as bold as ever, confiding apparently in the decrees of universal suffrage, and challenging all other parties to make a direct appeal to the people.

I would say nothing against the Legitimists; it is not their fault if their cause is now lost. They have behaved throughout with honesty. They were perhaps too confident at Bordeaux in the promises of M. Thiers, and did not see through his policy; but during the evil days of the Commune, when so many men at Versailles spoke of conciliating the rebels, they never

allowed the dignity of the Assembly of France and of its army to be lowered. They are men of honor, and would have nothing to do with assassins. They were the first to denounce M. Thiers when he signed his alliance with the Radicals, and they were foremost in the parliamentary coalition of the Conservatives which placed MacMahon in power. It is not their fault that the Comte de Chambord did not accept the conditions of modern sovereignty; and it is probably in their ranks that the most bitter criticisms of his conduct might be heard. The conduct of the Legitimists was quite fair till the time when, after the letter of the Comte de Chambord, the powers of Marshal MacMahon were prolonged for seven years. They voted for what is now called the Septennat in a moment of fear lest Thiers and the Radicals should return to power together; and now they will not accept the consequences of their own conduct. It is not fair, not loyal, not equitable to place a man in the most responsible and difficult position, and to refuse to him the very definition of his rights, of his prerogative and his duties. The Marshal at the present time is something more than the delegate of the Assembly: he is invested for six years more with the executive power, and he will, in consequence, survive the Assembly; yet the Legitimists refuse to make the constitutional laws. They are in revolt against their sovereign (for the vote of the Septennat was a vote of revolt), and they dare not be courageous to the end. In the eyes of the Comte de Chambord, they acted like rebels when they excluded him from the throne for seven years; and he continues to send orders to them. It is just as if a husband who had separated from his wife for the gravest motives should continue to consult her on the color of his cravats.

The Legitimists made a great mistake, from their own point of view, when they made a coalition with the Republicans against the Duc de Broglie. They gained nothing by it. The Duc Decazes, who is now the soul of the cabinet, has been constrained to conduct the foreign policy of France in a direction which is not theirs. He has wisely recalled the *Orléanque*, and has enforced on the Spanish frontier the rules of neutrality against the Carlists. The Duc de Broglie would not have acted differently. In reality, the Legitimists are secretly divided. There are among them those who are more Clerical than Legitimist, and those who are more Monarchical than Clerical. The moderate Right—this is the name given to the latter fraction of the Legitimists—feels the necessity of giving the guarantee of some constitutional laws to the executive power which it helped to create. The *cheval-légers*—the name under which we designate the blind followers of the Comte de Chambord—will vote no law which could even for a day hinder the proclamation of the monarchy.

What shall I say of the old Constitutionalists, of the Orléanists? They are perhaps more discouraged than the members of all the other parties. Twice after the disasters of France, the Legitimists have been returned to our parliaments in large numbers, in 1849 and in 1870. They feel that the most formidable events cannot entirely destroy their cause. But the Constitutionalists have suffered some severe injuries. Long before the end of the Empire, M. Thiers, who was their acknowledged leader, did all he could to disorganize the party of the constitutional monarchy. Even under Napoleon III. he had already marked out for himself the rôle of a great citizen, which we have seen him since trying to play. He had, by the charm of his conversation, by the hope of office, drawn to himself many men like M. de Rémusat, M. de Lasteyrie, M. Casimir-Périer, and persuaded them that his was after all the best government. These men have preserved a platonic affection for the Princes of Orléans, but they long ago abandoned the cause of the monarchy of 1830. Thiers was a great power in himself. He is an admirable orator, especially well suited for a parliament which contains somewhat ignorant elements; in the eyes of the small *bourgeoisie* he has the merit of being a *parvenu*, a *petit bourgeois*, as he once called himself; in the eyes of the Republicans, he is still the historian of the Great Revolution, the man who smiled in 1832 on the sacking of the Archbishopric of Paris. Even the diplomatic world has always surrounded him with its admiration, as it looked upon him as the representative of Parliamentary government. When the Constitutionalists lost him as a leader, they had to look for other men; they found such men as the Duc de Broglie, the Duc Decazes, none of whom had the wonderful gifts of M. Thiers. Whoever knows the present leader of the Republicans, his indefatigable activity, his incessant propagandism, his adroit management of men, must acknowledge that his loss was almost fatal to the Parliamentary cause. There are hundreds of old Orléanists who have always been more disposed to follow M. Thiers than to obey the Princes of Orléans, and these men have now become the staff of the Republican party. It must be said, however, that if the Orléanists have lost their chief, they have not renounced their principles. As soon as the Comte de Chambord expressed convictions adverse to these principles, they abandoned his cause; they did not sacrifice the country to the king, and they remain rigidly faithful to the national sovereignty.

It would seem that all these reasons must have added much to the strength of the Republican cause. It is true that the Republican party can now boast of many followers who are men of great fortune and of good standing. Still, as a party, they do not yet form the majority in the country, and to proclaim the Republic to-day would be simply to place the government in the hands of a party; as soon as this were done, all the others would congregate against the new administration. France is, in reality, profoundly divided—divided into four parties; and when one is dominant, the three others combine. Under such conditions, the best plan seems to me to place the government above all parties, and to invest it with a great force. It is idle to talk of American or Swiss institutions in France; each country must have a government adapted to its circumstances. Marshal MacMahon holds now a position which is neither Monarchical nor Republican: it is, as I have before had occasion to point out, somewhat analogous to that of the old Stadtholders in the Low Countries: he is the head of the army, as France may be forced any day to go to war or to suppress rebellious; he can call into his councils the patriotic men of all parties. We do not well see that much more can be done. When France was saved in former days, it was saved sometimes by very extraordinary means and persons. Our position is illegal, our government must be so. The Septennat is a government of necessity and not of theory, and necessity must have its way. This Septennat may be followed by another, and then by another. Who knows? One thing is certain: as long as France is in the state which I have attempted to describe, it must find a safeguard in a sort of anonymous government, and such a government will be all the stronger as it will only be exercised in the name and in the interests of the country.

SOME LEGAL ASPECTS OF THE ARNIM CASE.

BERLIN, Dec. 5, 1874.

MR. DISRAELI extolled the advantages of the British workman in his immunity from arbitrary arrest and from domiciliary visits, to which even the nobility of some countries of the Continent are liable; but he afterwards averred that he could not have had the case of Count Arnim in mind, inasmuch as all the proceedings against the ex-ambassador had been in strict accordance with law. He might have added that this case is a signal example of the supremacy and the impartiality of the law as now administered in Prussia. The stigma of "arbitrary arrest" that lurked in Mr. Disraeli's supposed allusion to Arnim is effaced by the simple statement that he was arrested under a strictly legal process. But what of the law itself—of the domiciliary visit, of the secret investigation, of the close imprisonment? If in form there was neither *lettre de cachet* nor Star Chamber—though some American journals will have it there were both—was not the liberty of the subject as really violated through the privacy of the arrest, the rigor of the confinement, the obsequiousness of the court, as if the Chancellor had ordered Arnim to be seized for the gratification of his private malice? The *Sacramento Record* said the other day that in no country not under military rule would the people submit to such an outrage. Yet here upon the ground the national liberal party justify the proceedings against Arnim, and to impartial observers it seems as though something valid had already been gained for the fundamental principle of equality before the law. Naturally enough, many in England and in the United States are scandalized or confused by the seemingly abrupt and violent, or the secret and one-sided methods, of Prussian legal administration; but when one analyzes the law as applied to Arnim's case, it is surprising how slight is the difference in fact between American and German law as herein involved.

First, as to domiciliary visits. In the light of such a case as this at Berlin, it is curious to observe the qualified terms in which the Constitution of the United States provides against the invasion of a man's house—the "castle" of the common law: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon *probable cause*, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized" (Amend. IV.) The Commissioners of the Code of the State of New York recommended the following sections as restrictions upon search: § 176. "Every peace officer who, in executing a search-warrant, wilfully exceeds his authority or exercises it with unnecessary severity, is guilty of a misdemeanor." § 220. "Every person who maliciously and without probable cause procures a search-warrant to be issued and executed, is guilty of a misdemeanor." By these very cautions and limitations the right of search is distinctly reserved; in the case of *Murray's Lessee v. Hob. Land and Imp. Co.* (18 How. 272) the Court ruled that the Fourth Amendment to the Constitution has no application to proceedings for the recovery of debts; and, in point of fact, "warrants have been allowed to search for stolen goods, for goods supposed to have been smuggled, for implements of gaming or coun-

terfeiting, for lottery tickets or prohibited liquors kept for sale contrary to law, for obscene books and papers kept for sale or circulation, and for powder or other dangerous or explosive material, so kept as to endanger the public safety. And in some States searching is provided for by statute for books and papers of a public character retained from their lawful custody [which is precisely the charge against Arnim]; for females supposed to be concealed in houses of ill-fame; for children enticed or kept away from parents and guardians; for concealed weapons; and for counterfeit money and forged bills or papers" (Cooley's 'Constitutional Limitations,' Chap. X.) Here is a goodly array of searches provided for by American law and practice. Was not every house in Philadelphia searched for the abducted child of Mr. Ross? Were not the books and papers of Phelps, Dodge & Co. seized and carried off to a dark chamber of the Custom-house, and searched for material for a damaging accusation? Did not Butler gloat over a barrel full of private telegrams, seized by authority of Congress, and which he still uses for tormenting his political enemies or rivals? Why, then, this ado about the searching of Arnim's house? That "domiciliary visit" was made under strict authority of law, and conformed in every particular to the Fourth Amendment of the Constitution of the United States and to the statutory provisions of some States of the Union.

The successor of Arnim at Paris found that sundry papers duly registered in the books of the Embassy were missing from its archives. He notified the Foreign Office at Berlin, and the secretary of that department applied to Arnim for information concerning these despatches. Arnim admitted that he had taken several of them, returned some, but retained others, upon the ground that they were of a private character, and necessary to his own justification—a point of which he assumed to be the sole judge. The Foreign Office now demanded the restitution of the papers, but Arnim denied its authority. Here, then, were "papers of a public character retained from their lawful custody" by an officer relieved from his post, who admitted that he had taken them. In this strait the Foreign Office laid the facts before the proper court, and the judge, finding a "probable cause," issued a not "unreasonable" warrant for a search, "particularly describing the place to be searched and the things to be seized." Why should that be the "arbitrary act of a military government" in Germany which is provided for, in precisely the same form, by the Constitution of the United States?

A difference between American law and Prussian law in respect to searches lies in the immunity of the party procuring or ordering the search from retaliatory measures on the part of the defendant. In the famous case of John Wilkes in England, in the last century, the defendant obtained heavy damages against the Government for trespass in the unwarrantable seizure of private papers. In Prussia the law provides no such remedy; the case hinges upon the integrity and discretion of the judge.

For instance, if a creditor makes affidavit to such suspicious acts on the part of a debtor as give reasonable ground for the belief that he is concealing property in his house, the plaintiff can obtain an order to search for such property. If after such searching it is proved that the defendant has acted in good faith, and that the affidavit is unfounded, the defendant must rest satisfied with his acquittal, without remedy at law against the plaintiff. Though his house has been searched, he cannot sue for trespass; though his honor has been sullied, he cannot sue for slander. The proceedings were under an order of the court, which was issued in good faith, upon reasonable evidence presented in the affidavit; at most, therefore, there can only have been an indiscreet action on the part of the judge in granting an order, and for this no action can be had. In the United States the plaintiff who should procure a search-warrant would do so at the risk of a suit for trespass. Second; as to sudden arrest and imprisonment under the laws of Prussia, if the plaintiff in a civil action makes an affidavit showing good grounds of belief, from some action or words of the defendant, that he is about to leave the country or the jurisdiction, or otherwise to evade legal process, then the plaintiff can apply for an order for the arrest of the defendant. If the court is reasonably satisfied of the plaintiff's allegations, such order can be had and served within twenty-four hours. Now, in the case of Arnim there was ground for the suspicion that he was preparing to quit the country, and upon foreign soil to use the documents in his possession to the prejudice of the Government in whose confidential service he had been employed; or there was reason to fear that he would use his liberty to defeat the ends of justice in the case. His arrest was strictly legal, for reasons set forth.

But Prussian law provides no remedy for unjust arrest. In the Middle Ages one could retaliate and find a remedy of his own; in more recent times one could satisfy his honor by a duel; but in these days it is held that the defendant's honor has been vindicated by the verdict of acquittal.

Indeed, in the strict conception of Prussian law, there can be no such thing as an *unjust* arrest; the affidavit of the plaintiff gives true and suspicious acts of the defendant as the ground of the order of the arrest.

Third, the principle of the English Habeas Corpus Act is recognized in Prussian law. Thus, in a criminal process the prisoner could demand an immediate hearing within forty-eight hours after his arrest; and the result of such a hearing would be either his acquittal, or his release on bail, or his detention for trial, according to the facts of the case. Arnim had an early hearing, but the court decided that there was good reason for holding him; and out of consideration for his health, he was put into a ward of the hospital under strict guard.

Fourth, bail is much less common in Prussia than in the United States. Arnim, however, was finally released upon a bail of 100,000 thalers, which, in view of his offence, his position, and his circumstances, was not *excessive*, as that term is vaguely used in the Constitution of the United States.

Fifth, the secrecy of the preliminary investigation, and the proposed secrecy of the reading of the documents during the trial, are features of this case in wide contrast to American procedure. They are here justified by the plea that the publication of the documents involved would be inconsistent with the public welfare. This very case, however, is likely to give emphasis to the movement in Parliament for requiring publicity in judicial proceedings. The American doctrine is, that the safety of the accused requires publicity in the trial. But what of the safety of the public? Would it not be an unspeakable mercy to the community if the Beecher-Tilton case could be hermetically sealed within the walls of the court-room, or even if some special chamber of oblivion could be constructed for it under ground?

The law under which Arnim is indicted makes the abstracting of official papers an offence to be punished by imprisonment for a term not exceeding five years. There is no question that if a clerk in the Treasury or the Post-office had been guilty of this offence, he would have been made to feel the power of the law; and it is hardly credible that Americans, who hold to the fundamental doctrine of the equality of all men before the law, will deem it an act of arbitrary power that this law is now applied in all its rigor to a nobleman and ambassador.

The following works are recommended to those who are interested in the legal points of the case: 'H. von Bayer, Vorträge über den gemeinen ordentlichen Process.' 'Bergmann, Beiträge zur Einleitung in die Praxis der Civilprocesse von deutschen Gerichten.' 'Besseler, Privatrecht.' 'Berner, Strafrecht'; und 'Heffter, Strafrecht, 2 Theil. 1856.' J. P. T.

Correspondence.

WHAT IS THE BUSINESS OF SCIENTIFIC MEN?

TO THE EDITOR OF THE NATION:

SIR: A brief and well-meant admonition of the *Nation* to "scientific men as such" not to meddle with philosophy or theology—i.e., "the origin of things or the existence of a God"—seems prompted by some perhaps unnecessary fears regarding the tendency of the rather misty and rhetorical utterance of Professor Tyndall, who, perhaps in common with all naturalists, sees "in matter the promise and potency of all [terrestrial] life"—as if the scientific man as such could imagine the existence of life without matter.

We would ask whether it is "meddling" with philosophy to enquire into the origin of life and its different forms? Can an enquiry into the origin of things be confined wholly to the origin of angels, demons, ghosts, the modern "spirit," and innate ideas? Can questions as to the origin of the chemical elements, of minerals, plants, animals, of man, and even his intellect and soul, be turned over exclusively to the followers of Kant, Hume, Locke, Berkeley, and Mill?

Why does Mr. Paley argue for the existence of God, and build up a system of natural religion upon the facts and conclusions of biology as known in his day? Why did an Andover professor recommend Agassiz's 'Essay on Classification' as an excellent aid in studying natural theology? In short, why are other systems of natural theology constructed on the conclusions of geologists, anatomists, and physiologists as to the constitution and probable origin of the earth and its inhabitants, unless those deductions are legitimate and useful to genuine religion? The influence of the conclusions of science on theological thought is certainly not unimportant.

Now, who forms these conclusions? who philosophizes on the facts collected by the scientist? Certainly not the theologian. He takes them at second-hand. Does the philosopher discuss and arrange the facts observed by the scientist? We think not, unless, like Aristotle, or Newton, or Descartes, or Spencer, he is both scientist and philosopher. It may be a question as to how much use a philosopher's opinion about the origin of things is, unless he has done some scientific work before reflecting in his study

upon the facts observed. The genus of old-time philosophers who depended on their intuitions and the facts of consciousness for light on the origin of things, material or immaterial, will become extinct, simply for want of food for thought, unless they become experimenters and observers. Reasoning by exclusion, we are forced to believe that "scientific men as such" are their own philosophers, and that it is as useless to divorce philosophy from science as it is to divorce philosophy from religion. Without science philosophy becomes scholasticism, and religion tends to become a superstition. For how can one reason intelligently as to the existence of a First Cause without a critical enquiry into the organization of the cosmos? Can we study the being and mind of an artist without seeing his pictures? How can we study the "origin of things," (rather an indefinite expression), without becoming Daltons, or Herschels, or Lamareks, or Darwins, and studying the mode of formation of the elements of worlds and the origin of the forms of life?

"Scientific men as such," then, so far from "meddling" with the business of the theologian and philosopher, afford, it seems to us, the one the grounds on which to build his faith, and the other the pedestal on which to sit and think.

Happily there is a common ground upon which all three may meet. We know little about the origin of things, and thus far the existence of a First Cause is not capable of proof, and may always be only a highly probable assumption. The mystery surrounding these primary facts seems at present insoluble. The recent addresses of Lovering, Tyndall, Wurtz, and Du Bois Reymond before the American, British, French, and German scientific associations, or in their journals, acknowledge the mystery of matter and the need of acknowledging or assuming the existence of a First Cause. These men are neither atheists nor materialists, and represent the average scientific and philosophical thought of our age. There are atheists and materialists among scientific men as among philosophers, but materialism is not a characteristic of the Anglo-Saxon mind, nor of the French mind of to-day, nor was it of German scientific thought in the days of Goethe and Oken. It is left to Vogt, Haeckel, and Büchner, who in speculative matters have exhibited as little common sense as they evince in dealing with politics. Unless the meddlesome scientific men continue to pry into the nature of things, we may indulge in the doubt whether philosophy, at least, will be a subject worth meddling with.

SCIENTIST.

[If a "Scientist" will look again at the report of Professor Tyndall's address, he will see that he announced his belief "that he saw in matter the promise and potency of every form and quality of life" as "a confession" which "he felt bound to make," and in making which he "abandoned all disguise." It would be very ridiculous for a naturalist to produce in this fashion a belief which he held "in common with all naturalists," and which, according to "Scientist," it is impossible for "a scientific man as such" not to hold. Naturalists surely have no occult creed, which they only reveal to the initiated or under great excitement.—ED. NATION.]

VIRGINIA SCHOOLS.

TO THE EDITOR OF THE NATION:

SIR: Lest my long silence might be misunderstood, allow me to say that immediately on seeing Miss Putnam's statement concerning the misfeasance of certain school officers in Northumberland County, Va., I wrote to the superintendent of schools for that county, who is a gentleman above reproach, and not personally referred to (as will be shown hereafter), sending him a copy of your paper, and instructing him to hold a court of investigation, after duly inviting Miss Putnam to be present. I at the same time wrote to the lady herself, asking her to appear, and assuring her of every facility and courtesy.

The court was promptly held, and Miss Putnam appeared; but as she was not prepared with evidence, the court was adjourned to a future day.

The testimony will all be recorded and sworn to, and as soon as received here will be forwarded to your office. I have great hopes that the reputation of the old State will survive this trial; and I still stand prepared to investigate any other charges of a similar character which may be brought to my attention. Let us hear from all complainants.

Very truly yours,

W. H. RUFFNER,

Superintendent of Public Instruction of Virginia.

RICHMOND, Dec. 16, 1874.

JUDGE JAMESON ON THE REVISION OF CONSTITUTIONS.

TO THE EDITOR OF THE NATION:

SIR: In your summary of my letter to the *Chicago Tribune* respecting Arkansas affairs, contained in the *Nation* of the 10th inst., you failed to state one point quite correctly. I was represented by you as saying that "the submission to the people of amendments to the constitution directly by the legislature was resorted to for the first time in American history by New York and Michigan, in the present year." This I did not say. What I did say was, that "no attempt to revise an entire constitution by the action of the legislature submitting amendments to the people, was ever made until the late cases of Michigan and New York." There is a wide difference between these two propositions. Some forty or fifty constitutions in different States have contained provisions authorizing amendments, through the action of their legislatures; and those bodies, in most if not all of those States, have availed themselves of the power. But the amendments have nearly always been few and simple, by no means involving a revision or recasting of the whole Constitution and Bill of Rights. Such a work is a herculean one, and, as I stated in the letter referred to, has never been attempted except in the States named. In those cases the legislatures recognized the impracticability of attempting the task of revision as an ordinary act of legislation. They appointed commissions of eminent gentlemen of both parties, not, as I understand, members of their own bodies, to revise the fundamental law, and to report a coherent and adequate scheme, to be submitted, as a whole, to the people. The submission was made, but the result was not very satisfactory; for one or both of the legislatures insisted upon revising this scheme before submitting it, thus disturbing its balance, perhaps, or infusing into it partisan provisions. If it were possible to avoid this tampering with the work of such commissions by compelling our legislatures to submit it, without modification, to the people, such a mode of proceeding would present important advantages, but that, of course, could be effected only by amending our fundamental law so as to authorize such a submission. However that may be, the actual consequence was that, in Michigan, the work of the commission was rejected *in toto*, and that in New York it was, if I have not been misinformed, rejected in part. It was this mode of revising an entire constitution to which I referred, as not having occurred before the present year.

As tending to show the reality of the distinction I have made, let me state that in, I believe, every case where our constitutions have authorized a change to be made in their provisions, without calling a convention, they have used only the word *amend* or *amendment*, and that where they have authorized the calling of a convention, they have employed the words *revise* or *revise and amend*, in stating the duty of the body when assembled.

JOHN A. JAMESON.

CHICAGO, December 14, 1874.

[As far as the popular vote goes, the work of the New York Commission has been adopted *in toto*. There is a question raised as to the effect of the alterations made by the second legislature in two of the amendments.—ED. NATION.]

Notes.

ANOTHER Boston magazine has changed hands. *Old and New*, heretofore published by Roberts Bros., has been transferred to Lee & Shepard, but still remains the property of a duly chartered corporation consisting of gentlemen and ladies who, if named, says the prospectus, "would be recognized as among the leaders in the life of New England, or, as we have a right to say, of the United States."—Willmer & Rogers, 31 Beekman Street, New York, have been appointed agents for this country of the *Contemporary Review*.—The Eighth Annual Exhibition of the American Society of Painters in Water-Colors will open at the Academy of Design on the first of February, and continue for about one month. Contributors need especially to be informed of the new regulations in regard to frames. Information on this and other points may be had of J. C. Nicoll, Secretary, 51 West Tenth St.—Surgeon General Barnes's annual report to the Secretary of War states that 700 pages of the second part of the 'Medical and Surgical History of the War' have been printed, and that nearly all the plates have been prepared. The data for the 'Descriptive Anatomical Catalogue of the Army Medical Museum' have been perfected, and authority is again asked for to print a thousand copies of this valuable work. The Museum has been increased by 1,185 specimens, and during the year ending June 30, 1874, was visited by upwards of 26,000 persons.—Part 24 of 'Stieler's Hand-Atlas' (New York: L. W. Schmidt) contains, besides a title

page for the entire work, a map of Turkey in Europe and one of Africa, in which the most notable feature is that the identification of the Luialaba with the Congo is provisionally adopted. No. 53 of the Berlin Geographical Society's *Journal* contains an excellent map of the latest North Polar discoveries. For more details in regard to Franz-Joseph Land one should consult the map of this hitherto unknown tract in the December number of the *Geographical Magazine* (New York: John Wiley & Son). We are glad to see it announced, by the way, that the price of this always readable journal is to be reduced one half (from two shillings to one shilling per number).—Quoting from general recollection is dangerous; but the *Nation* has such well-informed readers that its slips are soon corrected. Two valued correspondents have kindly supplied us with the right wording and origin of the eulogy of the strawberry, viz., "Doubtless God might have made a better fruit than the strawberry; but, doubtless, God never did." It is in the 'Complete Angler' of Isaac Walton, who cites it as a saying of Dr. Bote-ler.

—A correspondent writes us as follows: I find in the second volume, second edition, of Whewell's 'Philosophy of the Inductive Sciences,' published in London in 1847, a formal recommendation of the word "scientist," with the rule for its derivation, and the reason for its introduction into the English vocabulary. Under the head of "Aphorisms concerning the Language of Science," on page 549, Dr. Whewell lays down the rule for the derivation or formation of new words when they are needed, in the form of an aphorism, as follows: "In the composition and inflection of technical terms, philological analogies are to be preserved if possible, but modified according to scientific convenience." In the specific application of this rule to a variety of cases, the author remarks, on page 560, as follows:

"The terminations *ize* (rather than *ise*), *ism*, and *ist*, are applied to words of all origins: thus we have to pulverize, to colonize, witticism, heathenism, journalist, tobaccoist. Hence we may make such words when they are wanted. As we cannot use *physician* for a cultivator of physics, I have called him a *physicist*. We need very much a name to describe a cultivator of science in general. I should incline to call him a scientist. Thus we might say, that as an artist is a musician, painter, or poet, a scientist is a mathematician, a physicist, or a naturalist."

This dates the use of the word in England back twenty-seven years from this time—two years earlier than Mr. B. A. Gould claims to have recommended its introduction into the English vocabulary. If the word is found in the first edition of Dr. Whewell's work, published in 1840, this would carry the date of its use by this distinguished author back seven years earlier, or nine years prior to Mr. Gould's recommendation.

—In No. 53 of Koser's *Zeitschrift der Gesellschaft für Erdkunde zu Berlin* (New York: L. W. Schmidt), H. Kiepert examines the 'Historical Atlas of Ancient Geography, Biblical and Classical,' issued by Dr. Wm. Smith and Mr. G. Grove, of which the first three parts of six have appeared. His review is by no means favorable to this pretentious specimen of Dr. Smith's bookmaking, in which the responsible work has really been done by Mr. Grove and Dr. Karl Müller. Not to mention the more delicate historical and philological slips or ignorances, the coloring is very poorly and carelessly done, and the delineation of the surface is faulty. In Sicily and Southern Etruria many mountains are given which have no existence, and in Gallia whole chains are wanting; while in Brittany and Normandy the mountains are drawn higher than those of Eastern Switzerland. In many instances there is a pitiable ignorance of recent or even modern geographical studies. Kiepert regrets sarcastically that in using his 'Atlas von Hellas' recourse has been had to an old and incomplete edition, in apparent ignorance of that of 1867-70, and of Kiepert's maps of Thessaly, Epirus, and European Turkey, issued in 1870. Kiepert points out the absurdity of issuing a map of Palestine now in preference to waiting for the results of the new survey, which will be completed in two or three years—that is, for the part west of the Jordan. Here Mr. Grove does not even use recent trustworthy French investigations (Callier, Guérin, and Clermont Ganneau). But the map of Jerusalem particularly exasperates Kiepert; on it pretty nearly everything that was well established is turned wrong.

—The late J. A. Hartung, whose 'Religion der Römer,' published in 1836, may be said to have laid the foundation for the scientific treatment of Roman mythology, as distinguished from Grecian, was engaged, at the time of his death, in 1887, upon a companion work, 'Die Religion und Mythologie der Griechen.' Three parts of this were already published, and the fourth part was published some months ago by his son. It is not stated whether this completes the work as laid out by the author; so far as we can judge, however, it covers the entire field of Grecian mythology, and is provided with an excellent index. The treatment of the details is very compendious, and even bare; but this is because the theoretical portion is taken up by itself very fully and in a very interesting manner—the whole first part being of this character, and each division being introduced by a general

statement of principles, which these details are made to illustrate. In this way the work is confined to quite moderate compass, making, when bound, two very thin octavos. The view presented is that of a pure religion of nature, starting from the fetish, or indwelling spirit of natural objects and phenomena. In developing this view, Hartung draws his materials rather from the fragments of popular belief and local custom, chiefly survivals of a primitive belief—as found especially in such writers as Pausanias—than from the poets, who have worked over and modified the religion of their time, and who are thus in great part not merely the channel of information, but the actual authors of the mythology that has come down to us. It is noticeable that he almost wholly neglects the prevailing comparative view of Greek mythology, considering it exclusively as the outgrowth of the Greek national genius.

—At the conference of meteorologists, held at Leipzig in August, 1872, the question of the usefulness of telegraphic weather reports was one of the subjects under discussion. In view of the practical bearing of this question, it was referred to a committee, consisting of Messrs. Buys-Ballot, Scott, and Neumayer, who were to enter into correspondence with meteorologic authorities in all parts of the world, and to present the views thus obtained at the next conference, to assemble at Vienna. Circulars in German, English, and French were consequently sent out, and answers to six formulated questions solicited. The report of the committee, edited by Dr. G. von Boguslawski, with a preface by Dr. G. Neumayer, has now appeared in print, under the title of 'Bericht über Wetter-Telegraphie und Sturmwarungen,' etc. Replies were received from the following places: Berlin, the Bermudas, Bombay, Buda-Pesth, Calcutta, Christiania, Copenhagen, Dorpat, Edinburgh, Emden, Fiume, Florence, Greenwich, Halifax, Lisbon, Liverpool, London, Manchester, the Isle of Mauritius, Silloth (Cumberland), Stockholm, St. Petersburg, Toronto, and Utrecht. Singularly enough, the United States is not represented in this list. The answers received—among which we may mention those of Buys-Ballot, the late G. B. Donati, Dove, H. Mohn, and the Meteorological Societies of London and Edinburgh—are for the most part published in full, but the report of the commission gives a résumé of their salient features. The practical importance of telegraphic weather reports was generally conceded, and, in order to secure for them the widest possible usefulness an interchange of observations between the central stations of different countries was proposed. An international central station once established, reports are to be sent to it every evening from the various points of observation, which, in turn, are informed the next morning by the central station of the state of the weather throughout Europe. Atmospheric disturbances of importance, particularly approaching storms, should be announced, but general predictions of the weather are unanimously dis-continued. Stress is laid on the importance of an international system of signals for shipping, and the co-operation of the various governments is in-voked.

—The Italian Bureau of Statistics has issued its ninth annual review of the population from the civil point of view; being for the year 1871. No account is taken of emigration, and the total population is estimated by adding the difference in number between the births and the deaths to the total population assigned to the preceding year. In 1871, accordingly, the estimated population was 26,093,822; the increase since 1862 having averaged 0.75 per cent. per annum, at which rate the kingdom would be 92 years in doubling its population. Registered marriages averaged (1863-1871) 129,864; births, 948,425 (of which one in thirty-seven was a still birth); and deaths, 765,225. The proportion in 1871 of legitimate births to marriages was 4.65 of the former to each of the latter. In Central Italy the population is most fruitful, and shows the greatest number of first marriages; in Southern Italy and Sicily early marriages prevail. For the whole country the brides under twenty furnish 16 per cent. of the whole number. February and November are the favorite months for getting married; the first being the carnival season, the last the season of repose for the agriculturist. Corresponding considerations make March and July the months when matrimony is least thought of. The extent and direction of Italian emigration are inferable from the Postmaster-General's report for 1872, according to which money-orders amounting to \$625,870 were sent home from Buenos Ayres; \$341,318 from Montevideo; \$154,205 from New York. The Italian mail-service, by the way, which in 1862 cost the state \$3,160,000, is now self-sustaining, and in 1872 paid into the treasury the significant sum of \$630,147. The Indian mail alone, which, after leaving Calais, passes through the Mont Cenis tunnel and crosses the peninsula to Brindisi, netted nearly \$70,000.

—The typhoon of Sept. 22-23, which made a wreck of Macao, came late as a retribution for the sins of the former slave emporium. The town was already suffering from the stagnation caused by the abolition of the coolie-

traffic when it was overwhelmed by wind, an unprecedentedly high tide, and by fire, and in the course of a few hours lost thousands of lives and a million of property. The granite sea-wall was torn away in huge masses; the new fort was washed out, with all its guns, and all but one of the guard perished; buildings were blown down in all directions; and hundreds of vessels of all sizes were sunk or washed inland—sometimes to great distances. The man-of-war *Principe Dom Carlos* is said to have been carried 12 miles inland and stranded in a rice-field, and a similar fate overtook the gunboat *Camoëns*. The poet's name is associated with still another disaster, which, from a sentimental point of view, will be widely regretted. Among the places devastated in Macao was the famous "Camoëns's Garden." The grotto to the memory of the author of the 'Lusiad,' and the garden in which it stands, where the poet is said by tradition to have composed the greater part of his work when in exile, were long the property of the Macaese Government. They, however, sold it some time ago to a Señor Marques, who with his family occupied a substantial house on the estate. From this gentleman, who was very courteous to strangers, permission had to be obtained to visit the garden. The typhoon swept over it with fearful fury, breaking and uprooting the splendid trees with which it was planted, and strewing the ground with them in all directions. The magnificent banyans, some of which in their youth may have shaded the poet, were reduced to firewood. The historical grotto is almost uninjured; but it will be years before the garden of Camoëns recovers its old-time beauty of branch and foliage.

—The momentary distress and confusion furnishing a rare opportunity for plunder and violence (the fires, indeed, are supposed to have been incendiary), it became necessary to reinforce the police, and for this purpose the Portuguese governor enrolled in the National Guard large numbers of the Macaese, ex-coolie-hunters and the like, whom the suppression of the coolie-trade had reduced to poverty. These choice spirits immediately attempted a Communistic revolt, which was, however, speedily put down, and there will probably be less talk than before of reviving the odious traffic. Emigration will still go on, but not under the auspices of private speculators, nor will Macao be the chief port of departure. Peru, which has just concluded with China a treaty of friendship and commerce, has stipulated for free yet regulated emigration, and this will probably be effected by means of steamers plying, under strict Government supervision, between the northern ports of China and Peru. The satisfactory condition of the Chinese already in Peru, and the protection uniformly accorded them by the Government, are strongly asserted by Mr. Markham in the last number of his *Geographical Magazine*. In the preceding number the editor had done Portugal the justice of rehearsing the steps she had taken to mitigate the evils of the coolie-traffic at Macao from its very inception in 1851. These are clearly set forth in a report of the present Portuguese Minister of Foreign Affairs, Señor João de Andrade Corvo, to whose initiative the suppression of contract emigration last March was due. The story reads much like the efforts of our successive administrations to deal justly by the Indians: fair motives, unexceptionable legislation, and no results. It was even more difficult to regulate a distant colony through a governor on the spot, than to watch Indian agents and traders on a comparatively near frontier. The Portuguese character abroad—in China, in Peru, on the coast of Africa—has stood sorely in need of vindication; and it is gratifying to be assured that at home it is still moral and enlightened.

FAR FROM THE MADDING CROWD.*

MR. HARDY'S novel came into the world under brilliant auspices—such as the declaration by the London *Spectator* that either George Eliot had written it or George Eliot had found her match. One could make out in a manner what the *Spectator* meant. To guess, one has only to open 'Far from the Madding Crowd' at random: "Mr. Jan Coggan, who had passed the cup to Henery, was a crimson man with a spacious countenance and a private glimmer in his eye, whose name had appeared on the marriage register of Weatherbury and neighboring parishes as best-man and chief witness in countless unions of the previous twenty years; he also very frequently filled the post of head godfather in baptisms of the subtly-jovial kind." That is a very fair imitation of George Eliot's humorous manner. Here is a specimen of her serious one: "He fancied he had felt himself in the penumbra of a very deep sadness when touching that slight and fragile creature. But wisdom lies in moderating mere impressions, and Gabriel endeavored to think little of this." But the *Spectator's* theory had an even broader base, and we may profitably quote a passage which perhaps constituted one of its solidest blocks. The author of 'Silas Marner' has won no small part of her fame by her remarkable

faculty as a reporter of ale-house and kitchen-fire conversations among simple-minded rustics. Mr. Hardy has also made a great effort in this direction, and here is a specimen—a particularly favorable specimen—of his success:

"'Why, Joseph Poorgrass, you han't had a drop!' said Mr. Coggan to a very shrinking man in the background, thrusting the cup towards him.

"'Such a shy man as he is,' said Jacob Smallbury. 'Why, ye've hardly had strength of eye enough to look in our young mis'ess's face, so I hear, Joseph!'

"All looked at Joseph Poorgrass with pitying reproach.

"'No, I've hardly looked at her at all,' faltered Joseph, reducing his body smaller while talking, apparently from a meek sense of undue prominence; 'and when I see'd her, it was nothing but blushes with me!'

"'Poor fellow,' said Mr. Clark.

"'Tis a curious nature for a man,' said Jan Coggan.

"'Yes,' continued Joseph Poorgrass, his shyness, which was so painful as a defect, just beginning to fill him with a little complacency, now that it was regarded in the light of an interesting study. 'Twere blush, blush, blush with me every minute of the time when she was speaking to me.'

"'I believe ye, Joseph Poorgrass, for we all know ye to be a very bashful man.'

"'Tis terrible bad for a man, poor soul!' said the maltster. 'And how long have ye suffered from it, Joseph!'

"'Oh, erer since I was a boy. Yes—mother was concerned to her heart about it—yes. But 'twas all naught.'

"'Did ye ever take anything to try and stop it, Joseph Poorgrass?'

"'Oh, aye, tried all sorts. They took me to Greenhill Fair, and into a great large jerry-go-nimble show, where there were women-folk riding round—standing up on horses, with hardly anything on but their smocks; but it didn't cure me a morsel—no, not a morsel. And then I was put errand-man at the Woman's Skittle Alley at the back of the Tailor's Arms in Casterbridge. 'Twas a horrible gross situation, and altogether a very curious place for a good man. I had to stand and look at wicked people in the face from morning till night; but 'twas no use—I was just as bad as ever after all. Blushes have been in the family for generations. There, 'tis a happy providence I be no worse, so to speak it—yes, a happy thing, and I feel my few poor gratuities.'

This is extremely clever, and the author has evidently read to good purpose the low-life chapters in George Eliot's novels; he has caught very happily her trick of seeming to humor benignantly her queer people and look down at them from the heights of analytic omniscience. But we have quoted the episode because it seems to us an excellent example of the cleverness which is only cleverness, of the difference between original and imitative talent—the disparity, which it is almost unpardonable not to perceive, between first-rate talent and those inferior grades which range from second-rate downward, and as to which confusion is a more venial offence. Mr. Hardy puts his figures through a variety of comical movements; he fills their mouths with quaint turns of speech; he baptizes them with odd names ("Joseph Poorgrass" for a bashful, easily-snubbed Dissenter is excellent); he pulls the wires, in short, and produces a vast deal of sound and commotion; and his novel, at a cursory glance, has a rather promising air of life and warmth. But by critics who prefer a grain of substance to a pound of shadow it will, we think, be pronounced a decidedly delusive performance; it has a fatal lack of magic. We have found it hard to read, but its shortcomings are easier to summarize than to encounter in order. Mr. Hardy's novel is very long, but his subject is very short and simple, and the work has been distended to its rather formidable dimensions by the infusion of a large amount of conversational and descriptive padding and the use of an ingeniously verbose and redundant style. It is inordinately diffuse, and, as a piece of narrative, singularly inartistic. The author has little sense of proportion, and almost none of composition. We learn about Bathsheba and Gabriel, Farmer Boldwood and Sergeant Troy, what we can rather than what we should; for Mr. Hardy's inexhaustible faculty for spinning smart dialogue makes him forget that dialogue in a story is after all but episode, and that a novelist is after all but a historian, thoroughly possessed of certain facts, and bound in some way or other to impart them. To tell a story almost exclusively by reporting people's talks is the most difficult art in the world, and really leads, logically, to a severe economy in the use of rejoinder and repartee, and not to a lavish expenditure of them. 'Far from the Madding Crowd' gives us an uncomfortable sense of being a simple "tale," pulled and stretched to make the conventional three volumes; and the author, in his long-sustained appeal to one's attention, reminds us of a person fishing with an enormous net, of which the meshes should be thrice too wide.

We are happily not subject, in this (as to minor matters) much-emanipated land, to the tyranny of the three volumes; but we confess that we are nevertheless being rapidly urged to a conviction that (since it is in the nature of fashions to revolve and recur) the day has come round again for some of the antique restrictions as to literary form. The three unities, in Aristotle's day, were inexorably imposed on Greek tragedy: why shouldn't we have something of the same sort for English fiction in the day of Mr. Hardy? Almost all novels are greatly too long, and the

* 'Far from the Madding Crowd. By Thomas Hardy. New York: Henry Holt & Co. 1874.

being too long becomes with each elapsing year a more serious offence. Mr. Hardy begins with a detailed description of his hero's smile, and proceeds thence to give a voluminous account of his large silver watch. Gabriel Oak's smile and his watch were doubtless respectable and important phenomena; but everything is relative, and daily becoming more so; and we confess that, as a hint of the pace at which the author proposed to proceed, his treatment of these facts produced upon us a deterring and depressing effect. If novels were the only books written, novels written on this scale would be all very well; but as they compete, in the esteem of sensible people, with a great many other books, and a great many other objects of interest of all kinds, we are inclined to think that, in the long run, they will be defeated in the struggle for existence unless they lighten their baggage very considerably and do battle in a more scientific equipment. Therefore, we really imagine that a few arbitrary rules—a kind of depleting process—might have a wholesome effect. It might be enjoined, for instance, that no "tale" should exceed fifty pages and no novel two hundred; that a plot should have but such and such a number of ramifications; that no ramification should have more than a certain number of persons; that no person should utter more than a given number of words; and that no description of an inanimate object should consist of more than a fixed number of lines. We should not incline to advocate this oppressive legislation as a comfortable or ideal finality for the romancer's art, but we think it might be excellent as a transitory discipline or drill. Necessity is the mother of invention, and writers with a powerful tendency to expatiation might in this temporary strait-jacket be induced to transfer their attention rather more severely from quantity to quality. The use of the strait-jacket would have cut down Mr. Hardy's novel to half its actual length and, as he is a clever man, have made the abbreviated work very ingeniously pregnant. We should have had a more occasional taste of all the barn-yard worthies—Joseph Poorgrass, Laban Tall, Matthew Moon, and the rest—and the vagaries of Miss Bathsheba would have had a more sensible consistency. Our restrictions would have been generous, however, and we should not have prescribed such a fine passage as this:

"Then there came a third flash. Manœuvres of the most extraordinary kind were going on in the vast firmamental hollows overhead. The lightning now was the color of silver, and gleamed in the heavens like a mailed army. Rumbles became rattles. Gabriel, from his elevated position, could see over the landscape for at least half a dozen miles in front. Every hedge, bush, and tree was distinct as in a line engraving. In a paddock in the same direction was a herd of heifers, and the forms of these were visible at this moment in the act of galloping about in the wildest and maddest confusion, flinging their heels and tails high into the air, their heads to earth. A poplar in the immediate foreground was like an ink-stroke on burnished tin. Then the picture vanished, leaving a darkness so intense that Gabriel worked entirely by feeling with his hands."

Mr. Hardy describes nature with a great deal of felicity, and is evidently very much at home among rural phenomena. The most genuine thing in his book, to our sense, is a certain aroma of the meadows and lanes—a natural relish for harvestings and sheep-washings. He has laid his scene in an agricultural county, and his characters are children of the soil—unsophisticated country-folk. Bathsheba Everdene is a rural heiress, left alone in the world, in possession of a substantial farm. Gabriel Oak is her shepherd, Farmer Boldwood is her neighbor, and Sergeant Troy is a loose young soldier who comes a-courting her. They are all in love with her, and the young lady is a flirt, and encourages them all. Finally she marries the Sergeant, who has just seduced her maid-servant. The maid-servant dies in the work-house, the Sergeant repents, leaves his wife, and is given up for drowned. But he reappears and is shot by Farmer Boldwood, who delivers himself up to justice. Bathsheba then marries Gabriel Oak, who has loved and waited in silence, and is, in our opinion, much too good for her. The chief purpose of the book is, we suppose, to represent Gabriel's dumb, devoted passion, his biding his time, his rendering unsuspected services to the woman who has scorned him, his integrity and simplicity and sturdy patience. In all this the tale is very fairly successful, and Gabriel has a certain vividness of expression. But we cannot say that we either understand or like Bathsheba. She is a young lady of the inconsequential, wilful, mettlesome type which has lately become so much the fashion for heroines, and of which Mr. Charles Reade is in a manner the inventor—the type which aims at giving one a very intimate sense of a young lady's womanishness. But Mr. Hardy's embodiment of it seems to us to lack reality; he puts her through the Charles Reade paces, but she remains alternately vague and coarse, and seems always artificial. This is Mr. Hardy's trouble; he rarely gets beyond ambitious artifice—the mechanical simulation of heat and depth and wisdom that are absent. Farmer Boldwood is a shadow, and Sergeant Troy an elaborate stage-figure. Everything human in the book strikes us as facitious and insubstantial; the only things we believe in are the sheep and the dogs. But, as we say, Mr. Hardy has gone astray very cleverly, and his superficial novel is a really curious imitation of something better.

HISTORIES OF INDIA.*

A FIRST-CLASS history of India, in the fullest sense of the expression, is still to be produced. James Mill's voluminous work, of which there is a spiritless continuation by Prof. H. H. Wilson, has been highly praised by Lord Macaulay; and Lord Macaulay's praise of that portion of it which he was qualified by his studies to estimate may be endorsed without much reservation. Mill had diligently groped out, and weighed with merciless equity, all the facts of any importance available in his day that bear on the foundation and extension of the Indian Empire, but there his merit pretty nearly ends. Of his sole rival, Mr. Edward Thornton, it is scarcely needful to do more than merely make mention. Southey's 'History of the Peninsular War' was at once extinguished by Sir William Napier's; and Mr. Thornton's 'History of India' stood no chance of success whatever before the immeasurable superiority of James Mill's. That a repellent tinge of Benthamism colors the views of Mill in his occasional philosophical excursions, is true enough. Mr. Thornton, however, mistook in supposing this to be a blemish which would prove fatal, on the emergence of a competitor, to the historiographical fame of his predecessor. The simple avoidance of what revolts the popular mind is by no means positive excellence; and for more than such avoidance it is hard to discover, in Mr. Thornton's monotonous pages, anything to commend.

Neither Mill nor his feeble emulator knew the East personally; and the former was at the pains to frame a sophistical argument, which, it is to be hoped, gave himself more satisfaction than it can have given any one else, to demonstrate that he was the better able to write impartially about the people of India from never having been there. Yet the Hindu which he composed from books and his inner consciousness is in nowise a thing of hazy outlines and vague features. Nothing can be more distinct or can bristle with sharper saliences. A character in one of O'Keeffe's farces asks, "What, an' I a priest, and know what wickedness is?" Somewhat similarly, James Mill, who was in his younger days a theological student, found his early incubations eminently helpful when he sat down to portray the Hindu. Among his juvenile acquirements, there must have been included a most scientifically complete conception of total depravity. In this conception, particularized and labelled, we have his picture of our Aryan cousin at the antipodes. Very ingenious are the wrenching and wresting to which he subjects Sanskrit literature, with design to make out that his representation is that of reality; and his ingenuity has borne ample and bitter fruit. Though it may be questionable whether anybody has ever accepted that representation as wholly worthy of reliance, doubtless it has weighed with thousands of Britons who have sojourned in India, and has shaped to a lifelong attitude of undeserved harshness and contempt towards its natives many a youth who, if imbued with other lessons, would have found the dark man of Hindustan hardly distinguishable, on the whole, from the white man of his own home. Professor Wilson, Mill's annotator and continuator, going on the directly contrary track, has delineated the Hindu as a good deal more of an angel of light than one expects ever to meet with on this planet. Many years as the Professor was a resident in India, his experience was limited almost entirely to Calcutta; and his much whitewashed Bengalee, presented as a typical Hindu, must have struck with amazement countless "old Indians" who have seen things with their own eyes. Let the Hindu be seen at his best where he may, he is surely to be seen at his very worst in the lower valley of the Ganges.

While Mill was no Orientalist, Professor Wilson was little but a Sanskritist, and, as such, far short of being a master. A most inexact linguist, and totally void of mental grasp and even of average power of constructiveness, he has left to the world, as the best bequest he was capable of leaving it, a huge mass of translated matter, prose and verse, very readable and very untrustworthy. To supply what Mill wanted was, notwithstanding his learning, entirely beyond him. A whole ocean of facts about ancient and mediæval India, unknown to Mill, was accessible to him, but it needed much more than his intellectual calibre to turn these facts to account. The reader of German is at no loss to possess himself of the information in question, as regards India before the time of the Mahometans there; and of Mahometan India we shall, before long, be enabled to form a desirably definite idea from the writings of the late Sir Henry M. Elliot, now in course of publication. Still, to construct, independently, a history of the India of all ages, a much wider knowledge of languages than that of a Gibbon is first of all necessary; and this knowledge apart, no mind inferior to that of a Gibbon could hope to deal with the multiplied difficulties of the subject adequately. India, it may be gathered, is likely therefore to go a long while without a thoroughly competent historian.

*History of India. From the Earliest Times to the Present Day. By L. J. Trotter. London: Society for Promoting Christian Knowledge; New York: Pott, Young & Co. 1874.

The so-called 'History of India' by Mr. Trotter is, in about equal proportions, pretentious and abortive. Its author positively seems to be endowed with no one qualification out of the many requisite for the due execution of the task he has essayed. In his "introduction" he calls the Jains "an offshoot from Buddhism," a description to which no scholar, we suspect, would assent. There, too, we are told that "the most purely Aryan" of the vernaculars of India is the Hindi—the Bengalee being so out of all comparison. A chapter of 42 pages comprehends all that he has to say of India before the Mahometan invasions, and the chapter contains at least as many groundless or dubious assertions as it contains paragraphs. As to the Vedas, "it is safe to assume, with Dr. Max Müller, on evidence of a very strong kind," that they "were composed between 1,200 and 1,500 years before Christ." Contrariwise, it is very unsafe to assume anything of the kind; and the evidence alluded to is of the airiest. The founder of Buddhism flourished "about the end of the sixth century before Christ." Indeed? The laws of the Mānavas were "compiled about 900 years before Christ." Again, indeed? "The Purānas held that Brahmā, Vishnu, and Siva were but different attributes of one same [sic] godhead." Comment must here be superfluous. Rammohun Roy "proclaimed a pure theism"; and the Hindus believe in a "great unseen spirit." The Mahābhārata "was probably composed by Vyāsa, in the second century before Christ"; and the Rāmāyana "would seem to have been composed ten or eleven centuries before Christ." "In the twelfth century of our era, Bhāskar Achārya, of Ujjain, had forestalled by five hundred years the analytical methods of Newton and Leibnitz." We might fill a column with such rashnesses as these. Wherever we open the book they meet our eyes. Even the most familiar of the Hindoo eras, that of Vikramāditya, the author knows so little of that he postdates it by a year. Hindu philosophy he nowhere alludes to; and of the monism which underlies all the forms of the Hindu religion he certainly has never heard. There is a censurable intrepidity suggested by things like these; and we are not much surprised that, mixed up with them, we should read of Lord Macaulay's "curious want of insight" and "perverse blindness." But the author is somewhat addicted to devious moods. What India has to do with the United States of America is not very obvious. For all this, to please somebody or other, the imaginative statements are ventured that, in our country, "all classes are equal before the sovereign people," and that here "wealth has set up an aristocracy of its own."

But, after all, it is the author's pedantry, quite as much as any of his other peculiarities, that will annoy a scholar of the old school. He claims to spell Oriental words after a novel and improved fashion; and very novel is his fashion, at all events. The most elementary acquaintance with the Nāgarī and Arabic alphabets would here have saved him from scores of blunders. His "Dāsya," "Gūru," "Māni," and "Rājmaḥāl," which instances might be multiplied tenfold, are utterly wrong; still more laboriously so are his "Dāra Sheko," "Hindū Khūsh," "Narbadha," "Sedāsheo," and "Soliman"; and he shows himself all at sea, as regards sibilants, in his "Shakas," "Shesha," and "Siva." His "satti, or widow-burning," is to be corrected (if we would have a real word and its definition) to "sati, or a widow who is cremated with her husband." To close this wearisome list, "Maharajah Adirāj," a piece of cabalism belonging to no known language, is rendered "Lord Paramount of the Old Empire." *Mahārājādhirāja*, which we conjecture to be intended, is Sanskrit, and signifies "supreme king of great kings."

Among smaller histories of India, that by Mr. J. C. Marshman, son of the celebrated missionary, may confidently be recommended, much rather than anything else of the same kind, to our readers. It was compiled at the request of the University of Calcutta, and appeared in 1867. It is in three small volumes, and is published by Longmans, London. On neither side of the Atlantic has the reception hitherto given to it been at all proportionate to its excellence.

A Ramble Round the World—1871. By M. le Baron de Hübner, formerly Ambassador and Minister, and author of 'Sixte Quint.' Translated by Lady Herbert. (New York: Macmillan & Co. 1874.)—Baron Hübner left Queenstown on the 14th of May, 1871, and reached Marseilles, by way of New York, San Francisco, Japan, and China, on the 10th of January, 1872, thus "doing" the world in the space of eight months of exceedingly rapid travelling, which seems to have been amusing to him, and the results of which make a volume of entertaining light reading. Readers of a scientifically accurate habit of mind would perhaps do well to consult other itineraries as well as this of Baron Hübner if they wish to have a perfect mental picture of the various countries he visited before them, but they cannot fail to get from his journal a very vivid impression of the way in which the men and things the author saw struck his own mind. When (p. 24) he describes

his surprise at finding the debates of the Senate at Washington conducted, contrary to his expectations, in an orderly manner, without constant resort on the part of the honorable members to revolvers or even to bad language, and describes their oratory in this way—"In speaking they alternately raised and let fall their voices, and only in certain eloquent moments struck the palm of their left hand, stuck out horizontally, with their right finger"—the reader gets a glimpse of the pleasant presumptions and preconceptions as to American manners existing abroad, and also a rather good off-hand description of one kind, and a well-known kind, of national oratory. Take also the account of the pessimistic Western governor, who, having asked the diplomatic author what he thinks of our glorious country, and having received an answer as satisfactory as it is possible for any human answer to be to the truly patriotic mind, continues the conversation by saying: "Yes, we are a great nation—a glorious country. But we are sick. We are suffering from the consequences of a precocious childhood—a too sudden growth. As young men, we lived in a forcing-house; arrived at maturity, we undertook too much, and are now wearing ourselves out with overwork. It is possible, but not probable, that we shall arrive at old age. The Union, I fear, has no future." Here, though there may be a little exaggeration, we feel that we are on American ground, and that it is a statesman in whose presence we are standing—a statesman not apparently belonging to the dominant party—whose views on the future of the Union and the condition of the negro would probably be found to have materially changed since the recent elections turned the majority in the House of Representatives, and whose statesmanship was naturally, before those elections, of a hopeless kind. On page 33, where Baron Hübner discusses the question of the passion of Americans for titles, we may doubt the accuracy of the statement that titles of nobility, "the forbidden fruit of the republican American," are pronounced with a sort of "voluptuous pleasure"; for, according to our experience, most Americans are so unfamiliar with the delicate shades of meaning and etiquette of titles of nobility that they avoid using them with foreigners, or if they do use them the voluptuous pleasure is apt to disappear in the trepidation caused by a doubt whether they are correctly applied; and when Baron Hübner tells us that he never made the acquaintance of a descendant of the French Huguenots, the Puritans, or the early Dutch emigrants who did not at once begin the conversation by saying, "I am of a very old family—my ancestors arrived in this country two hundred years ago," we cannot help wondering how many of the scions of these three stocks he actually met in his hurried trip. At the same time, it is impossible to deny the justice or the delicacy of his observation, that as to such titles as governor, senator, colonel, or general, "to him who gives it, as to him who receives it, it is felt to be an equal honor," though the remark need not be confined to these titles or to this country, for the fact on which it rests exists in the abyssal depths of human nature.

Correct generalizations are not to be expected of a traveller whose rambling is done at the rate of two or three hundred miles a day, and who belongs to a class the members of which are said by M. de Hübner to be known in America as "globe-trotters"; and to the foreign globe-trotter some inaccuracy may be pardoned. So the startling statement (p. 53), that American women attach so much importance to "globe-trotting" that young men of a serious turn of mind who think of marrying take pains to ascertain first whether the object of their affections has a strong desire to go to Europe—in which case, as we understand it, they break off the engagement—is probably founded altogether on the amusing story of the disconsolate husband who kept a colored photograph of his deceased wife in the cover of his watch, and lamented her with many tears as "a first-rate manager" and who "never asked to be taken to Europe." "No Europe-going, no such nonsense."

On the whole, we have found the account of the author's travels in China and Japan more interesting, though not so entertaining as his observations on America. In both these countries he had unusual opportunities of seeing what was worth seeing, and in Japan he had the benefit of much conversation with many of the local magnates, including the leader of the reform party, Iwakura, and had the honor, then almost unprecedented, of a presentation to the Mikado. His reproduction of the account given on the spot by the friends and enemies of reform and the European movement in Japan, is well worth reading. Of course he does not pretend to do more than repeat what he heard from the Japanese and the foreign residents; but he managed to pick up altogether the most consistent and coherent account of the movement that we have seen anywhere. His conclusions are that there is grave reason to doubt both the sincerity of the reformers and the possibility of doing the people of the country any lasting good by the changes now being introduced. The Mikado he represents as a mere puppet of a number of crafty chieftains who are making use of him, raising an army, and govern-

ing in his name, and playing at philo-Europeanism with great good-will. From Iwakura down to the lowest official, the stereotyped reply universally made to any question on the subject of the time probably necessary to accomplish the change of Japan into a modern country is—"In three years; it will be finished in three years."

William Blake's Illustrations of the Book of Job. With descriptive letterpress and a sketch of the artist's life and works. By Charles Eliot Norton. (Boston: J. R. Osgood & Co.)—These designs, for which, in addition to the biographical sketch, Mr. Norton furnishes short critical notices, are tolerably well known by reputation as the most important artistic work of their author. The rough photolithographs of them, contained in Alexander Gilchrist's 'Life of Blake,' published by Macmillan in 1863, must be familiar to a great many persons in this country, as the last-named book has been common in bookstores for years past, and cheap, and must be pretty widely distributed by this time. The original engravings are, however, somewhat difficult to find, and the set brings a high price; so that it is probable that there are few persons in America who have seen the originals, or, in the dearth of public or accessible collections, who have any immediate chance of seeing them. It is well, therefore, to have more adequate copies than the small Gilchrist lithographs. The Osgood heliotypes are of the same size as the originals, and are so far successful as reproductions that they give the grouping and general action clearly, and so much of the light and shade as to show to the careful student what Blake intended. Mr. Norton's words in regard to the heliotypes, at the very end of the book, are as follows: "They reproduce, with the closeness of a facsimile, the general character of the original engravings; but they fail to render the most delicate beauties of expression and the finest touches of execution." And, again, it is said that they give "the distribution, though not the scale, of the light and shade of the original." These criticisms are just. It may be said, further, that they are about the equivalent of very late impressions, taken after the plates are much worn by printing. It is clear what the designer meant to do with his figures in action, gesture, grouping; what he meant to express in his background; what the general composition of lines and masses was. But the design in light and shade is lost, the delicate gradations of tone are not even to be guessed at, and the expression of the faces cannot be judged of satisfactorily. It should be said, in qualification of our judgment, that a somewhat careful comparison of the heliotypes with proof copies of the originals has led us to think better of the former than we were inclined to on a first inspection. They are not the same thing; but then, is it very important that they should be the same thing? The quaintness, the originality, both for good and evil, the unlikeness to conventional renderings of nature and of thought, are all fairly well shown to whosoever will examine the heliotypes carefully, and for the rest it may well be argued that these copies at ten dollars are better worth buying than the originals for seventy dollars or more. It may be that if you have at all an engraving by Dürer, an etching by Rembrandt, or Haden, or Meryon, or a print from the 'Liber Studiorum,' you should not spare money, but get the finest impression possible—that there is no comparison between the finest and all others, and no question but that one print in a fine state is worth many less fine. But Blake's light and shade is not of such value as that; and a comprehension of its full merits is not incumbent upon most persons of cultivation. They can afford to disregard it if they choose to do so, and to study the general significance of the work in other than perfect examples. It is probable, indeed, that what there is of Blake in this book is enough for anybody but professed students of art. Mr. Norton's brief "sketch" is a model of selection and condensation, and gives facts enough

and criticism enough to answer the purpose of all but the especially curious in strange manifestations of artistic power. One error should be pointed out: in the quotation from Mr. Ruskin on the last page, "light" should be read instead of "life."

The Naturalist on the River Amazons. By Henry Walter Bates, F.L.S. Third edition, with illustrations. (Boston: Roberts Brothers. 1874.)—Mr. Bates's South American experiences covered the eleven years from May 26, 1843, to June 3, 1859, and the first edition of this account of them was published in London eleven years ago. No one who reads his delightful narrative will wonder that it has maintained itself so long. The opening pages at once attest the writer's unusual descriptive powers, and from first to last there is no dull spot in them. Moreover, his professional observations are kept from being too technical; and a final reason for a third edition at this late day is furnished by Mr. Bates's sympathy with those views of natural creation which have since come to be known (and denounced) as Darwinian. He was for a part of the time the companion of Mr. Alfred Russel Wallace, who afterwards in another hemisphere, and quite in ignorance of Mr. Darwin's enunciation of the same doctrine, deduced from his own researches the theory of "natural selection." Mr. Bates's narrative was therefore sure to profit by the extraordinary revival of science to which Darwinism in all its length and breadth has led. It is not, however, so pronounced or so path-breaking a work as to be compared, for instance, with the 'Voyage of the Beagle'; and those who read it without bias will be surprised that an American historian of Brazil has thought it necessary to qualify his recommendation of this "most charming and valuable work" by an allusion to its scientific heresy. Not scientific so much as theological, of course, for the historian in question is a clergyman. His exact words are worth quoting. Mr. Bates, he says, "has given the world many important facts concerning the great valley, aside from information in regard to its natural history. Only one drawback to many [qu. important facts?] is to be found in his 'Darwinian' views; but they are 'put' so modestly, and his investigations are so much better than his theory, that one becomes only interested in the great theme of his book, 'the King of Waters.'" Incoherent as this disclaimer is, it is plain that the praise of Mr. Bates is natural and hearty, the reproof perfunctory merely. But our clergyman wrote in 1866, when the obligation to mention "drawbacks" was very much stronger for his class than it is now.

*. Publishers will confer a favor by always marking the price of their books on the wrapper.

BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices.
Aitken (Cora K.), Legends and Memories of Scotland: Poetry.....	(A. Williams & Co.) \$2 00
Ames (Mrs. M. C.), His Two Wives.....	(Hurd & Houghton) 1 75
Brooke (Rev. S. A.), Theology in the English Poets.....	(D. Appleton & Co.)
Blake (W.), Illustrations of the Book of Job.....	(J. R. Osgood & Co.) 10 00
Crofton (F. B.), The Bewildered Querists.....	(G. P. Putnam's Sons) 1 00
Chaney (Rev. G. L.), F. Grant & Co.....	(Roberts Bros.)
Coolidge (Susan), Mischiefs' Thanksgiving.....	(Roberts Bros.)
Chimes for Childhood.....	(Estes & Lauriat) 0 75
Coffin (C. C.), Caleb Kinkadee: an American novel.....	(Lee & Shepard)
Eclectic Historical Atlas.....	(Wilson, Hinkle & Co.) 1 50
Eggleston (G. C.), A Rebel's Recollections.....	(Hurd & Houghton) 1 50
Hamerton (Eugenie), The Mirror of Truth.....	(Roberts Bros.)
Hittell (J. S.), Brief History of Culture.....	(D. Appleton & Co.)
Hippeau (C.), L'Instruction publique en Italie, swd.....	(W. F. Gill & Co.) 6 00
Lotos Leaves.....	(J. B. Lippincott & Co.)
Linton (Mrs. E. L.), Patricia Kemball: a tale.....	(J. B. Lippincott & Co.)
Munson (J. E.), Dictionary of Practical Phonography.....	(Hurd & Houghton) 8 00
Moulton (Mrs. L. C.), More Bed-Time Stories.....	(Roberts Bros.)
MacLeod (Rev. N.), The Starling.....	(Dodd & Mead) 1 50
Nordhoff (C.), Politics for Young Americans.....	(Harper & Bros.)
Riddell (Mrs. J. H.), Too Much Alone, swd.....	(Estes & Lauriat) 0 75
Rossett (Christina), Speaking Likenesses.....	(Roberts Bros.)
Southworth (Mrs. E. D. E. N.), Fair Play.....	(T. B. Peterson & Bros.) 1 75
Stories for Children.....	(Roberts Bros.) 1 50
Stieler's Hand-Atlas, Part 24, swd.....	(L. W. Schmidt)
Tyson (Miss), The Queen of the Kitchen.....	(T. B. Peterson & Bros.) 1 75
Upton (G. B.), Memories: a German Tale.....	(Jansen, McClurg & Co.) 2 25
Zeitschrift der Gesellschaft für Erdkunde zu Berlin, No. 53.....	(L. W. Schmidt)

HENRY HOLT & CO'S SCHOOL-BOOKS

Include among others, Freeman's Historical Course, the Class-room Taine, Siglar's English Exercises, the Ord. Series of Classics, Whitney's German Course, Otto's French and German Courses, etc. Reference is made to the faculties of all leading institutions. Catalogues sent on application. Address

HENRY HOLT & CO.,
25 Bond Street, New York.

A CHRISTMAS BOX—\$1 50.

Fourteen Little Books of Selected Poems (illustrated), in a neat case, \$1 50.

Each little book is neatly printed on fine paper and bound in a tasteful paper cover; the XIV. volumes (with the XVth, price 10 cents) forming the first series of a library of standard poetry (illustrated).

The second series of this library will be begun in January, and will consist of 20 books.

Subscription price (invariably in advance).

KILBOURNE TOMPKINS,
16 Cedar Street, New York.

HARPER'S CATALOGUE. The attention of those designing to form libraries, or increase their Literary Collections, is respectfully invited to Harper's Catalogue, which comprises a large proportion of the standard and most esteemed works in English Literature—comprehending over three thousand volumes.

Librarians, who may not have access to a trustworthy guide in forming the true estimate of literary productions, will find this Catalogue especially valuable for reference.

The Catalogue is arranged alphabetically by the authors' names, anonymous works by their titles. The index is arranged by the titles of the books, besides having numerous appropriate heads, each general head being followed by the titles of all works on that subject.

Harper's Catalogue sent by mail on receipt of ten cents.

Address HARPER & BROTHERS,
Franklin Square, New York.

25 CENTS PER ANNUM.—Indispensable to all of any literary taste and culture. THE BOOK BUYER. Published Monthly by SCRIBNER, ARMSTRONG & CO., 654 Broadway, New York, at Twenty-five Cents per Year, post-paid.

FOR THE HOLIDAYS!

THE WORKS OF LORD MACAULAY,

Consisting of his celebrated Essays, 'History of England,' and Speeches and Poems.

These standard works are offered in the following attractive styles:

16 vols., Riverside edition, cloth, \$32 00; half calf, \$64 00
8 " Students " " 16 00; " " 32 00
6 " Popular " " 12 50; " " 25 00
8 " Students " sheep, 20 00.

The Essays, 'History of England,' and Speeches and Poems may be had separately.

ALBERT MASON, PUBLISHER,
13 Astor Place, New York.

METROPOLITAN MUSEUM OF

Art, No. 128 West Fourteenth Street, New York. The Museum is open daily, Sundays excepted, from 10 A.M. to 5 P.M. Cesnola Collection, Galleries of Pictures, Statuary, and other Art objects. Admission 25 cents. MONDAYS FREE.

SCRIPTURE ILLUSTRATED AT LAST.

In order to bring the undermentioned magnificent work within the reach of persons of moderate means, Messrs. Cassell, Petter & Galpin have arranged to issue it periodically, in parts or volumes, at the option of the subscriber. Six parts are now ready for delivery, price \$2 each; and also the volume of Matthew, price \$40. Subscriptions received only for the complete work, viz., 65 Parts, or 4 Vols., at \$140. Completion may be confidently looked for within twelve months, but deliveries may be arranged to suit the convenience of subscribers.

Our Agents will be happy to submit specimens for examination to reliable parties on application to us, the book not being found in the stores. Full information and Prospectuses free, by mail. We append selections from some press notices. The work has not once been adversely criticised.

THE FOUR GOSPELS.

WITH 132 FULL-PAGE STEEL ETCHINGS BY M. BIDA.

From the Nation, Dec. 17.

"The illustrations to the New Testament from Bida's designs now appear in an English edition of the Gospels under the charge of Messrs. Cassell, Petter & Galpin. We need not say how much they seem to gain in being at last associated with a translation which is not only one of the very few translations immeasurably superior in style to their own original, but a version which is the perpetual monument, standard, and pride of a noble language. . . . We cannot see that the plates in the English version, on the carefullest comparison with the original French impressions, are inferior; they are doubtless printed in Paris under that same supervision by M. Hédouin which has made the first proofs so successful. In conclusion, we may say that the connoisseur will possess in this edition a Biblical work of great purity, a type of the Gallican at once refined and historically probable, an exquisite series of authentic Judean landscapes, and whatever can assist his Bible-reading as as a task of intellectual culture."

From the New York Times, Dec. 8.

"This edition of the Gospels has been long looked for with great interest. It has been known in literary circles that M. Bida spent ten years in the Holy Land preparing his designs for the illustration of the sacred text. A portion of his work is now accessible to the public, and there can be no doubt that it fully realizes the expectations of those who are best familiar with M. Bida's remarkable gifts. . . . We believe most people who see it will come to the conclusion that practically the sacred text is now illustrated for the first time. The artist has evidently approached his task in a spirit becoming a man who undertakes to illustrate themes which the civilized world regards with veneration and affection."

From Christian Union, Dec. 23.

"Messrs. Cassell, Petter & Galpin, London and New York, have commenced the republication, in English, of

the Four Gospels, with etchings after Bida's noted designs. Of illustrators of the Bible M. Bida is unquestionably the most capable and faithful. . . . M. Bida is, besides being a skilful artist, a Jew by birth and education, and a Christian by profession, so that his every line may be implicitly trusted. In minor details the artist is of course correct; the Jewish features, dress, characteristic poses, and material surroundings are given with the accuracy which is based upon actual knowledge. As an artist, in distinction from being merely a Jewish artist, Bida is great. His groupings are absolutely wonderful. . . . Not a figure is introduced except for individual effect, and yet none of his pictures seem out of proportion for the lack of figures such as many distinguished artists scatter about a canvas only to preserve its artistic balance. . . . Judging by the past history of Bible illustration, we feel justified in asserting that there is little probability that Bida's superior will ever be found, and that to coming students of art applied to Scriptural subjects he will be the master."

The heliotype reduction of one of the etchings, which appeared as frontispiece in the "Nation's" Holiday Supplement, will be sent on receipt of ten cents

CASSELL, PETTER & GALPIN, 596 Broadway, New York.

The Law of Injunctions.

By FRANCIS HILLIARD,

Author of 'The Law of Torts,' 'The Law of New Trials,' 'The Law of Contracts,' etc. Third edition, 8vo, 837 pages; price \$7 50.

That the work may continue to deserve the approbation as well as the favor with which the previous editions have been received by the profession, and that it may fully keep pace with the law, it has been, in this edition—the third—very carefully revised, rearranged, and in some portions rewritten; about one hundred pages being added, and a very large number of cases, particularly the most recent, not merely cited, but the points which they decide briefly stated.

KAY & BROTHER, LAW PUBLISHERS,
17 and 19 South Sixth Street, Philadelphia.

A NEW SUNDAY-SCHOOL
Magazine. To be Published Monthly. For Pastors, Superintendents, Normal-class Teachers, etc. Not to interfere with the *Sunday-School Journal*. To begin January, 1875.

THE NORMAL CLASS: A Monthly
Magazine, for the Discussion of all Sunday-school Topics; the Publication of Normal-class Outlines; Normal-class Text-papers; Descriptions of Sunday-schools; Institute, Convention, and Sunday-school Programmes; Sunday-school News; Notes from all Parts of the World; Valuable Papers on Teaching; Sunday-school History, Administration, etc., etc. J. H. Vincent, Editor. First Number Ready Dec. 20.

Size of "The Normal Class," 48 pages, 12mo.

Price of "The Normal Class," \$1 50 per year.

Address

NELSON & PHILLIPS, PUBLISHERS,
805 Broadway, New York.

[ESTABLISHED 1801.]

The Evening Post.

PUBLISHED

DAILY, SEMI-WEEKLY, AND WEEKLY.

An Independent Journal Complete in all its
Departments of News and Criticism.

Terms for 1875, Postage Prepaid.

DAILY.

One year \$12 00

SEMI-WEEKLY.

Single copy, one year \$3 00
Five copies, one year 12 50
Ten copies, one year 22 00

WEEKLY.

Single copy, one year \$1 50
Five copies, one year 7 00
Ten copies, one year 12 50
Twenty copies, one year 22 00

The above rates are as low as those of any first-class newspaper published.

We will send on trial the DAILY one month for \$1, the WEEKLY two months for twenty-five cents, or the SEMI-WEEKLY two months for fifty cents.

SPECIMEN NUMBERS SENT FREE.

OTHER PUBLICATIONS.

Persons desiring to order other periodicals will find it to their advantage to send their subscriptions through

this office. Either of the following publications will be supplied, in connection with the *EVENING POST*, on receipt of the sum named in addition to the regular rates given above.

These periodicals will be sent from the offices of the respective publishers, postage paid.

MONTHLIES.

Atlantic	\$3 25
Harper's	3 25
Scribner's	3 25
Lippincott's	3 00
Galaxy	3 00
Old and New	3 00
Eclectic	4 00
Agriculturist	1 10
St. Nicholas	2 50
Popular Science Monthly	4 00
New York Medical Journal	3 25

WEEKLIES.

Harper's Weekly	\$3 25
Harper's Bazar	3 25
Appleton's Journal	3 25
Living Age	6 75
Advance	2 50

Persons wishing to order more than one of the above-named papers or magazines, or any others not included in this list, are invited to send for terms.

Address

WILLIAM C. BRYANT & CO.,
NEW YORK.

THE SYNTHETIC PHILOSOPHY.
Published this day.

THE PRINCIPLES OF SOCIOLOGY.

PART I. By HERBERT SPENCER.

This important work appears as a quarterly serial of 80 to 90 pages. Price, for single numbers, 60 cents; subscription, \$2 a year. This is the most valuable work of the age on social science, and should be taken by all interested in social questions.

D. APPLETON & CO.,

549 and 551 Broadway, New York.

THE WEEK IN TRADE AND FINANCE.

DECEMBER 22, 1874.

MONEY has remained easy at from 3 to 4 per cent. on call loans; at times as high as 5 per cent. was paid by borrowers who had delayed making up their accounts till very late in the day. Commercial paper remains as last quoted, the best names passing at 6 to 6½ per cent. We have heard of sales, however, as low as 5½ per cent., but this rate was exceptional.

Cable advices from London on Thursday report that the Bank of England had gained £521,000 in bullion during the week ending on that day. The rate of discount was left standing at 6 per cent.

The weekly bank statement on Saturday showed further losses in specie and legal tenders. The small loss in specie—\$599,300—is difficult to explain, as during the week which the statement covers \$5,725,000 in gold was withdrawn from the banks, and either shipped to Europe, placed in the Treasury for California account, or deposited in the Treasury on account of custom receipts. The Treasury disbursed during the same time \$2,000,000 gold, on account of 5-20 bonds redeemed, and \$500,000 gold sold, in all amounting to \$2,500,000; this amount, deducted from the \$5,725,000 withdrawn, leaves \$3,225,000, which the banks have actually lost, while the statement shows only \$599,300.

The following is the statement in detail:

	Dec. 12.	Dec. 19.	Differences.
Loans.....	\$284,903,300	\$285,409,800	Inc.. \$506,500
Specie.....	14,218,800	13,619,500	Dec.. 599,300
Legal tenders.....	49,470,300	47,931,700	Dec.. 1,538,600
Deposits.....	218,408,000	215,707,800	Dec.. 2,700,200
Circulation.....	24,804,300	24,731,600	Dec.. 72,700

The following shows the relations between the total reserve and the total liabilities:

	Dec. 12.	Dec. 19.	Differences.
Specie.....	\$14,218,800	\$13,619,500	Dec.. \$599,300
Legal tenders.....	49,470,300	47,931,700	Dec.. 1,538,600
Total reserve.....	\$63,689,100	\$61,551,200	Dec.. \$2,137,900
Reserve required against deposits.....	54,602,000	53,926,950	
Excess of reserve above legal requirement.....	9,087,100	7,624,250	Dec.. 1,462,850

The stock market, up to Friday, was without special features. On Friday, a bear movement began to develop itself, with the main efforts to

depress prices directed against Wabash, which sold down to 25, carrying the balance of the speculative list along with it from ½ to 2 per cent. There were rumors afloat that the company would not be able to pay the January interest on its bonds. The investigation by the Congressional Committee into the mode of obtaining the subsidy from the Government for the Pacific Mail S. S. Company has had a very depressing effect upon its stock, which has declined to 33½—the decline having been accelerated by the severe attacks of newspapers, which the Street considers to have been made wholly in the interests of a certain large operator who is short of the stock.

On Saturday a little piece of stock-operating took place which, happily, is not often witnessed in the Stock Exchange. A broker named Wright, without capital or credit, finding himself short of funds, thought that the best way to improve his condition would be to go into a little operation on his own account in Wabash. He bought in all 18,000 shares of stock, and then, finding that the market did not respond to his large purchases and go up, quietly left the Exchange, and shortly afterwards announced to the President of the Board his inability to meet his contracts. Wright was summoned to-day before the Governing Committee, and expelled from the Board for having been "guilty of obvious fraud" in his transactions.

The announcement of Wright's failure brought about, for a short time, a panic in Wabash stock. The parties who had sold to him, still having the stock on their hands, immediately commenced protecting themselves by selling out "under the rate." The price tumbled rapidly from 26¼ to 21½; it afterwards rallied to 24¾, and finally closed at 22¾. The whole market became unsettled and weak. The bears now became buyers, and on their purchases to cover shorts the market rallied from 1 to 2 per cent. from the lowest quotations.

Government bonds have been active, and prices have advanced from 1 to 1¼ per cent. on the entire list. The principal buyers were the insurance companies, who seem to be anxious to have a large supply on hand in order to make a favorable exhibit in their January statement. The gold market has remained quiet, with the range of fluctuations confined between 111¼ and 111¾. The specie shipments for the week amount to \$2,849,000, consisting principally of gold coin.

FISK & HATCH, Bankers, No. 5 NASSAU ST.

U. S. Government Bonds, coupon and registered, all denominations, bought and sold; also gold coupons, and American and foreign gold and silver coin. Mercantile collections made, and approved accounts received from Banks, Savings Banks, Corporations, and individuals; also U. S. registered interest, coupons, and dividends collected for correspondents and others out of town, and promptly remitted for or placed to credit subject to draft. All marketable stocks and bonds bought and sold on commission. Every branch of our business has our personal attention, and any desired information will always be cheerfully given.

FISK & HATCH,

P. O. Box 235. New York.

AMATEUR DRAUGHTSMEN,
ENGRAVERS, MECHANICS, and others in
search of FINE TOOLS, INSTRUMENTS,
AND MACHINERY for Scientific or Mechanical pur-
poses, are invited to send for our elegant new

ILLUSTRATED CATALOGUE AND PRICE-LIST.

We have a large and varied stock of Machinery, Tools, and Instruments for all classes of fine metal and wood workers. Our goods are of the best foreign and domestic manufacture only; and by the aid of the Catalogue (which will be mailed free on application) persons residing at a distance may order direct, without preliminary correspondence.

FRASSE & CO.,

62 Chatham Street, New York.

THE ACROPOLIS OF ATHENS.

A few views (by the autotype process) of the principal monuments of the Acropolis. Remarkably fine. Size, 1½ x 10½. Unmounted. Price \$5 each. Address Publisher of the Nation.

CATALOGUE OF A SE-
lect Collection of Rare and
Curious Books relating to Ancient
Worships, Flagellation, the Rod,
etc. Will be sent to any address
upon application to

JOHN PENINGTON & SON,
127 SOUTH SEVENTH STREET,
Philadelphia.

SUBSCRIBE NOW FOR

THE ATLANTIC MONTHLY,
and secure the January number, which will be
remarkably brilliant.

It will contain Poems by Longfellow (on Charles Sumner), Aldrich (a Christmas Poem), Stoddard, Elizabeth Stuart Phelps; articles by Bayard Taylor (Life in Weimar), Oliver Wendell Holmes (The Americanized European), Robert Dale Owen (Recent Spiritual Phenomena), the beginning of Henry James, jr.'s, Novel (Roderick Hudson), the first of Mr. Sanborn's Papers on John Brown, and a Story by "Mark Twain" (Old Times on the Mississippi).

THE CORPS OF CONTRIBUTORS FOR 1875

includes all of the above, and Bryant, Lowell, Whittier, Howells, Aldrich, Parkman, Warner, Miss Phelps, Mrs. Thaxter, Miss Preston; in short, the best American writers in pro-e and verse. Able editorial departments of Recent Literature, Art, Music, Education.

THE ATLANTIC

is the foremost Literary Magazine of America; its leading contributors write for no other Magazine, and the managers propose to keep it where it has always stood.

AT THE HEAD OF AMERICAN LITERATURE.

TERMS: Single or specimen numbers, 35 cents. Yearly subscription, sent to Publishers, \$4, postage free.

Remittances by mail should be sent by a money-order, draft, or registered letter to H. O. HOUGHTON & Co., Riverside Press, Cambridge, Mass.

Published by H. O. HOUGHTON & CO., Boston.
HURD & HOUGHTON, 13 Astor Place, New York.

Established in 1843.

R. H. ALLEN & CO.
FOR

AGRICULTURAL IMPLEMENTS, MACHINES,
SEEDS, AND FERTILIZERS,
address the above at 189 and 191 Water Street, or P. O.
Box 376, NEW YORK CITY.

FOUR HOLIDAY ATTRACTIONS.

ON THE NILE. By Augustus Hop-
pin. Folio. Uniform with 'Ups and Downs.'
\$10.

LARGE-PAPER EDITION. Heliotype prints. In a
Portfolio. \$25.

This will be a winning holiday attraction—art, character, and travel sketches and pictured wit.

BLAKE'S JOB. Illustrations of the
Book of Job. Mounted and Engraved by William
Blake. 22 Plates, reproduced by the Heliotype process. With Descriptive Letter-press, and a Sketch of the Artist's Life and Works, by Charles Eliot Norton, 4to, \$10.

RAPHAEL ENGRAVINGS. Twenty-
four plates, reproduced by the Heliotype Process, including the "Visitation," two groups of the "Holy Family, the "Madonna of the Fish," and the "Bearing of the Cross." A superb vol. 4to, \$10.

TOSCHI'S ENGRAVINGS. From Frescoes of Correggio and Parmegiano; 24 plates, reproduced by the Heliotype Process from the "Gray Collection of Engravings," Harvard University. A beautiful vol. 4to, \$10.

For sale by all booksellers. Sent, post-paid, on receipt of price, by the Publishers.

JAMES R. OSGOOD & CO., BOSTON.

ENCYCLOPEDIA BRITANNICA.

NINTH EDITION.

Vol 1. of the Ninth Edition of the 'Encyclopædia Britannica' will be issued during January, 1875, and the other volumes will follow, twenty-one in all, at the rate of three per year. More than one-half of the matter in this edition is new, and comprises special contributions by many of the most eminent writers of the day, including Prof. Huxley, Max Müller, A. R. Wallace, R. A. Proctor, and St. George Mivart. The volumes will be illustrated, and in typographic excellence will be unsurpassed.

This edition will embody the results of the ripest learning of the nineteenth century, in Art, Literature, Philosophy, and Science.

Price of the volumes \$5 each.

Subscriptions received by

LITTLE, BROWN & CO.,
110 Washington Street, Boston.

